This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

+ *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.

+ *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.

+ *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.

+ *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at `http://books.google.com/`

The chronicles of crime; or, The new Newgate calendar, a series of ...

Camden Pelham

8. Q. 228.

Digitized by Google

Digitized by Google

Digitized by Google

Digitized by Google

Digitized by Google

THE

CHRONICLES OF CRIME.

Digitized by Google

Digitized by Google

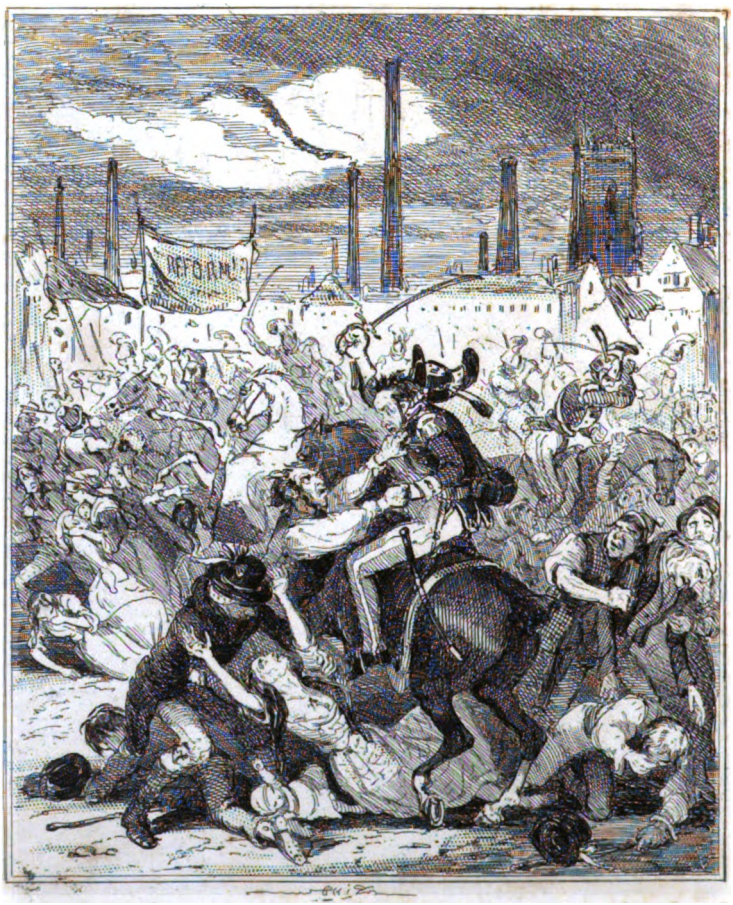
THE

CHRONICLES OF CRI

Digitized by Google

Digitized by Google

Digitized by Google



Manchester Massacre

London Published by Thomas Tegg &c &c &c.

Digitized by Google

THE

CHRONICLES OF CRIME;

OR,

The New Newgate Calendar.

BEING

A SERIES OF MEMOIRS AND ANECDOTES

OF

NOTORIOUS CHARACTERS

WHO HAVE OUTRAGED THE LAWS OF GREAT BRITAIN FROM THE EARLIEST PERIOD TO THE PRESENT TIME.

COMPRISING

COINERS.	HOUSEBREAKERS.	PIRATES.
EXTORTIONERS.	INCENDIARIES.	PICKPOCKETS.
FORGERS.	IMPOSTORS.	RIOTERS.
FRAUDULENT BANKRUPTS.	MURDERERS.	SHARPERS.
FOOTPADS	MUTINEERS.	TRAITORS,
HIGHWAYMEN.	MONEY-DROPPERS.	&c. &c.

INCLUDING

A NUMBER OF CURIOUS CASES NEVER BEFORE PUBLISHED.

EMBELLISHED WITH FIFTY-TWO ENGRAVINGS,

FROM ORIGINAL DRAWINGS BY "PHIZ."

BY CAMDEN PELHAM, ESQ.

OF THE INNER TEMPLE, BARRISTER-AT-LAW.

VOL. II.

LONDON:

PRINTED FOR THOMAS TEGG, 73, CHEAPSIDE;

JAMES TEGG, SYDNEY; S. A. TEGG, HOBART TOWN; AND R. GRIFFIN AND CO., GLASGOW.

MDCCCXLI.

Digitized by Google

LONDON :
BRADBURY AND EVANS, PRINTERS, WHITEFRIARS.

Digitized by Google

CONTENTS.

NOTE.—*The offence mentioned opposite to each name is that alleged against the person charged.*

	PAGE
ABRAHAMS, Alice. "The Gold Dust Robbery"	480
AGRICULTURAL RIOTS	213
ANDERSON, John, *alias* Beveridge. Piracy	228
BALLS, Robert. Forgery	404
BANKS, William. Burglary	201
BARNETT, Edward. Murder	185
BARTLETT, Charles Samuel. Murder	453
BELL, James. Burglary	201
BELL, John Amy Bird. Murder	252
BERRYMAN, James and Thomas. Burglary	367
BEVERIDGE, John, *alias* Anderson. Piracy	228
BIRMINGHAM RIOTS—1839	499
BISHOP, John. Murder	274
BOLAM, Archibald. Manslaughter	474
BOWERS, Richard. Fraud	126
BRANDRETH, Jeremiah. Treason	17
BROCK, Thomas. Coining	1
BROUGHTON, Edward Delves. Murder	469
BROWN, George. Conspiracy	3
BROWN, James. Coach Robbery	242
BROWN, William. Murder	358
BRUNT, John Thomas. Treason	34
BURDOCK, Mary Anne. Murder	398
BURKE, William. Murder	166
BURT, William. Murder	118
CALTHORPE STREET RIOTS	378
CANT, George. Rape	490
CANTERBURY RIOTS	460
CARDIGAN, the Earl of. Assault with intent to Murder	607
CARROLL, Patrick. Murder	401
CASHMAN, John. Riot	3
CASPAR, Lewin and Ellis. "The Gold Dust Robbery"	480
CHALKER, Edward. Murder	397
CHARTIST RIOTS—1839-40	515
CLARKE, Edward. Murder	247
COLLINS, Dennis. Treason	356
COOK, James. Murder of Mr. Paas	345
CORDER, William. Murder	146
COSTELLO, William. Abduction	65
COSTER, Richard. Forgery	370
COURVOISIER, François Benjamin, Murder	563
COX, Job. Letter-stealing	376
COX, John, John, and Robert. Murder	157
CROFTS, John. Burglary	382
CUSSEN, John, *alias* Walsh. Abduction	65
DARWELL, George. Embezzlement	456
DAVIDSON, William. Treason	34
DAVIS, George James, *alias* Huntley. Piracy	228
DAY, John, *alias* Smith. Murder	455
DEVANN, Patrick. Murder	14
DICK, Samuel. Abduction	26
DILLON, Luke. Rape	230

Digitized by Google

	PAGE
Dobell, George, *alias* Thomas. Murder	546
Doody, Daniel and William. Abduction	65
Dorchester Labourers	384
Edwards, John, *alias* Heath. Assault	389
Ehlert, Jacob Frederick. Murder	488
Eliot, Francis Lionel. Murder	469
Ellis, William, *alias* Lambert. Murder	546
Emond, Robert. Murder	204
Evans, James. Murder	105
Fauntleroy, Henry. Forgery	93
Fisher, William. Burglary	415
Fitzmaurice, Walter, *alias* Captain Rock. Abduction	65
Flather, Harrison. Larceny	619
Fletcher, George. Murder	458
Flynn, John Turner. Forgery	602
Garside, William. Murder	393
Gilbert, Samuel. Robbery	107
Gilchrist, William and George. Coach Robbery	242
Gould, Richard, *alias* Nicholson. Burglary and Murder	556
Greenacre, James, and Sarah Gale. Murder	428
Haggart, David. Murder	59
Harley, William, and Hills, James. Burglary	415
Harris, Ann. Murder	157
Harris, Thomas. Forgery	404
Hart, John Minter. Forgery	421
Heath, John, *alias* Edwards. Assault	389
Hibner, Esther and Esther. Murder	188
Higgins, Mary Anne. Murder	247
Hogsden, Edward. Rape	251
Holloway, John. Murder	262
Hooper, John. Treason	7
Howard, William. Assault with intent to Rob	141
Hunt, Henry. Misdemeanour	29
Hunt, Joseph. Murder	69
Huntley, George, *alias* Davis. Piracy	228
Hunton, Joseph. Forgery	161
Hussey, Charles. Murder	22
Inglett, James. Manslaughter	634
Ings, James. Treason	34
Jobling, William. Murder	354
Johnson, William. Murder	362
Johnston, Robert. Robbery	27
Jones, William. Murder	138
Jourdan, William, *alias* Leary. Custom-house Robbery	407
Kennedy, William. Murder	358
Keppel, Charles. Murder	68
Keys, Jeremy. Murder	397
King, William. Robbery	246
Kinnaister, Charles. Murder	472
Lambert, William, *alias* Ellis. Murder	546
Leaky, David, James, and Maurice. Abduction	65
Leary, William, *alias* Jourdan. Custom-house Robbery	407
Lecasser, Peter. Assault	389
Lees, William. Murder	494
Leith, Alexander Wellesley. Manslaughter	98
Lightfoot, James and William. Murder	551
Long, John St. John. Manslaughter	217
Lovelace, James. Administering unlawful Oaths	384
Ludlam, Isaac. Treason	17
Lynn, Charles. Murder	103
Mackcoull, James, *alias* Moffat. Burglary	55
Mackey, Robert. Conspiracy	3
Macnamara, Henry. Larceny	309
Marchant, William John. Murder	478
Martin, Jonathan. Arson	192
Martin, Thomas. Body-stealing	233
Medhurst, Francis Hastings. Manslaughter	477

Digitized by Google

	PAGE
Merthyr Tydvil Riots	256
Miller, William. Murder	136
M'Keand, Alexander and Michael. Murder	109
Moir, Capt. William. Murder	207
Montgomery, John Burgh, *alias* Wallace, *alias* Morgan. Forgery	144
Moore, Richard. Forgery	621
Moseley, Joseph. Murder	393
Moses, Emanuel. "The Gold-dust Robbery	480
Moses, Mordecai. Forgery	404
Mott, Henry. Custom-house Robbery	407
Nesbett, James. Murder	53
Nicholson, Arthur, *alias* Gould. Murder and Burglary	556
O'Connor, Feargus. Sedition	542
Owen, James. Murder	546
Oxford, Edward. Treason	583
Page, James. Houghing Cattle	389
Patteson, Thomas. Manslaughter	599
Peacock, George Edward. Forgery	419
Peele, John, *alias* Watson. Forgery	119
Pegsworth, Jonathan. Murder	425
Pelham, John. Coining	1
Penruddock, C. W. W. Assault	426
Pierce, Alexander. Murder	91
Power, Michael. Coining	1
Preston, Thomas. Treason	7
Probert, William. Horse-stealing	100
Pugh, James. Murder	157
Rae, Alfred. Assault with intent to commit a Rape	386
Race, William. Manslaughter	550
Reform Riots	314
Riedy, Daniel. Abduction	65
Riots, Agricultural	213
Riots at Birmingham, 1839	499
Riots at Bristol	322
Riots, Calthorpe-street	378
Riots at Canterbury	460
Riots, Chartist, 1839-40	515
Riots at Merthyr Tydvil	256
Roach, William. Murder	458
Robinson, Ann. Murder	188
Rock, Captain, *alias* Walter Fitzmaurice. Abduction	65
Ross, Elizabeth. Murder	305
Salmon, Robert. Manslaughter	417
Sams, David. Burglary	632
Scanlan, John. Murder	50
Seale, Wm. Custom-house Robbery	407
Sheen, William. Murder	123
Slade, Joshua. Murder	134
Smith, Alexander M'Laughlin. Murder	604
Smith, John, *alias* Day. Murder	455
Smith, John, *alias* Sapwell. Murder	209
Smithers, Jonathan. Arson and Murder	342
Solomon, Isaac, *alias* Ikey. Receiving stolen goods	235
Stacey, John and John. Murder	195
Stanynought, Henry. Murder	403
Stephenson, Alexander, *alias* Telford. Piracy	228
Stevens, Joseph Plant. Robbery	244
Stevens, Rev. Joseph Rayner. Sedition	495
Stevenson, William. Larceny	633
Stoffel, Philip. Murder	68
Sullivan, Stephen. Murder	50
Sullivan, Thomas. Custom-house Robbery	407
Summers, William. Larceny	405
Swallow, William, *alias* Waldon. Piracy	228
Taylor, John. Body-stealing	233
Taylor, Robert. Polygamy	594
Taylor, Thomas. Murder	458
Telford, Alexander, *alias* Stephenson. Piracy	228
Thistlewood, Arthur. Treason	7
Thistlewood, Arthur. Treason	34
Thomas, George, *alias* Dobell. Murder	546
Thornton, Abraham. Murder	19
Thurtell, John. Murder	69
Tidd, Richard. Treason	34

Digitized by Google

	PAGE
TIMMS, George. Murder . . .	455
TURNER, William. Treason . .	17
VARNHAM, John. Murder . . .	455
VAUGHAN, George. Conspiracy .	3
WAKEFIELD, Edward Gibbon, William, and Frances. Abduction .	127
WALDON, William, *alias* Swallow. Piracy	228
WALLACE, John, *alias* Montgomery. Forgery	144
WALLACE, Patrick Maxwell Stewart, and Michael Shaw Stewart. Inciting a person to cast away a Ship	624
WOOD, George Alexander. Manslaughter	98
YOUNG, John. Murder . . .	469

Digitized by Google

THE

CHRONICLES OF CRIME;

OR,

NEW NEWGATE CALENDAR.

THOMAS BROCK, JOHN PELHAM, AND MICHAEL POWER,

CONVICTED OF COINING.

In the year 1816, when Sir Matthew Wood was lord mayor of London, several conspiracies of a most diabolical nature were detected, and some of the conspirators punished. The conduct of the chief magistrate was such as to do honour not only to his understanding and ability, but to his disinterestedness and humanity.

The legislature, with the intention of stimulating the exertions of police-officers, and inducing others to give information, had awarded certain rewards to the parties who should contribute to the conviction of offenders against the laws. The object was laudable, but it was capable of great perversion, and was liable to many objections; it gave the prosecutor an interest in the conviction of the accused, and on that account tended to impress the public with the belief that the condemnation, and not the acquittal of the prisoner, was the object of our criminal laws. It was too true that "blood money," as this species of remuneration was emphatically denominated, did contribute in reality to the evil we allude to. But had not a development of unparalleled villany put scepticism to flight, we could not have brought ourselves to believe that those who were paid to detect crime should be found the most active in seducing innocence and youth to its commission. Yet it is an indubitable fact that, for ten years preceding 1816, victims were brought up, session after session, to be convicted of crimes to which they were seduced by the very men who gave evidence against them, that they might revel on the "blood money," or make use of it to provide other victims for the law. Several of those connected with the police-offices, particularly the patroles, were detected in this traffic of blood;* but only one officer of any note, named Vaughan, was convicted of this most atrocious crime.

* The following were the parliamentary rewards for the conviction of felons:—
1. By 4 W. & Mary, cap. 8, forty pounds on the conviction of every highwayman.
2. By 6 & 7 Wm. III. cap. 17, forty pounds upon the conviction of every person who

Digitized by Google

The discovery of this diabolical system took place in the course of the trial of three men named Quin, Riorton, and Connolly; it appears that these unfortunate beings were detected in fabricating base shillings and bank tokens, and being brought to trial, they were convicted. During the examination of the witnesses for the prosecution, however, whose names appear at the head of this article, some circumstances came out, which induced a suspicion in the mind of the lord mayor that the prosecutors were in some way mixed up with the guilt of the prisoners. An investigation in consequence took place; but the convicts, on being confronted with their accusers, refused to say anything against them, saying that they were "under an oath." They were Irishmen and Catholics, and the rigid observance which they pay to an oath is well known; but a priest having at length persuaded them that they were not bound by such an oath administered unlawfully, they disclosed the whole particulars of the plot, and their accusers were in consequence secured.

The three new prisoners were then indicted for their participation in the crime of their dupes, which amounted to high treason; and at the session held on the 25th of September 1816, were brought to trial at the Old Bailey.

A man named Barry then swore that Pelham had applied to him to get some men to make bad shillings, which Power, it was said, could colour. Barry said they must go to the market for them, which was in Cheapside, at the corner of King-street, where poor Irishmen were waiting for employment. Some days after he went with Brock and Power to the market, when Quin and Riorton were engaged by them. Being told they could not be employed unless they would be sworn to secrecy, they took an oath on a piece of paper. A room was hired, and tools procured by the prisoners, and the poor Irishmen were set to work to cut brass into the form of shillings, &c. under the superintendence of Power. Connolly was sent for to assist. He said to Barry, in Irish, "We are doing a job that will hang us all," to which he replied that if he thought so he would not work another day at it. The Irishmen were then employed in colouring the metal, and everything being in readiness, notice was given, the officers entered, and the Irishmen were seized, tried, and found guilty.

Pelham's landlady proved that the scissars used by the Irishmen in cutting through brass had been procured by her at Pelham's request; another woman also swore that the hammer and files taken in the coining room had been sold by her to Brock and Pelham.

Brock, in his defence, declared his innocence. Power denied either going to the market or the room; and Pelham said the Barrys were noted perjurers, and the women were false witnesses.

The jury, without hesitation, however, brought in a verdict of Guilty, and the prisoners were transported.

The three Irishmen were then pardoned; and the lord mayor having interested himself in their behalf, a subscription was opened, and they were enabled to return to their own country, and there to purchase small farms.

---

had counterfeited the coin, or clipped &c. the same, or had brought into the kingdom clipped coin, &c.

3. By 5 Anne, cap. 31, forty pounds on conviction of every burglar or housebreaker.

4. By 14 Geo. II. cap. 6, ten pounds on the conviction of every sheep-stealer, &c.

5. By 15 Geo. II. cap 28, forty pounds for conviction of any person of treason or felony, relating to the coin, upon this Act; and ten pounds on conviction of counterfeiting copper money.

6. By 16 Geo. II. cap. 15, twenty pounds upon conviction of a person returning from transportation before the expiration of his term.

Digitized by Google

GEORGE VAUGHAN, ROBERT MACKEY, AND GEORGE BROWN.

CONVICTED OF A CONSPIRACY.

WHILE the lord mayor was detecting the "men of blood" in the city, the magistrates at Bow-street were not less meritoriously employed in tracing similar crimes to a police-officer, named Vaughan, and several others not immediately employed by the magistrates, but who were well known as loungers about the different offices. Several of these atrocious wretches were apprehended, and many revolting circumstances disclosed.

George Vaughan, Robert Mackey, and George Brown, were tried at the Middlesex sessions, on the 21st of September 1816, on a charge of conspiring to induce William Hurley, Michael Hurley, William Sanderson, William Wood, aged thirteen, and Dennis Hurley, to commit a burglary in the house of Mrs. M'Donald, at Hoxton; and, by having them convicted of the fact, thereby procure for themselves the rewards given by parliament for the conviction of housebreakers.

The case was clearly proved against the prisoners; and it appeared that through the instrumentality of one Drake, who had been an acting lieutenant in the navy, the dupes were employed to commit the burglary, and that on their proceeding to Mrs. M'Donald's house, the three prisoners came up and took them into custody.

The prisoners being found guilty were sentenced to five years' imprisonment in the house of correction, and ordered at the conclusion of that time to find security for their future good behaviour. Vaughan was tried on a subsequent day for a robbery in the house of one James Poole, on the 16th of December 1815, and being found guilty was sentenced to be transported.

JOHN CASHMAN.

EXECUTED FOR A FELONY COMMITTED AT THE SPAFIELDS' RIOTS.

ON the cessation of the protracted war which consigned Buonaparte to St. Helena, Great Britain found herself subject to those temporary domestic difficulties which always succeed a sudden return from hostility to peace. The revulsion was felt by nearly every individual in the kingdom; agriculture, trade, and commerce became, for the instant, almost torpid, and thousands of the labouring classes were thrown out of employment.

In this moment of paramount distress, the evil-minded and the designing, taking advantage of the disposition of the people, and urged by personal considerations, continued those attacks upon the ministry of the country which they had hitherto made without that success which they required, and the people, whose attention was now withdrawn from the object which had hitherto served to keep their minds occupied, were easily led away and persuaded that the dangers and difficulties which appeared to exist were the result of bad management only, and were of a nature likely to be permanent, and most injurious to their well-being. The existence of the evil was attributed to some defects which were pointed out in the

Digitized by Google

representative system; and as this was considered to be the root of the evil, the name of radical (from *radix*, the Latin word for a root) was given to the persons who espoused these new opinions. The party in itself, both as regarded reputation and numbers, was contemptible to a degree, and the names of a few only who were its leaders will be handed to posterity. Thistlewood, Watson, and Hunt, were the most notorious of these agitators, who, as it will hereafter appear, met with very different fates. Thistlewood was hanged; Watson escaped to America; Hunt, by a most extraordinary circumstance, eventually became a member of parliament.

Englishmen have an undoubted privilege of assembling for the purpose of declaring their grievances and soliciting redress, whether from the sovereign or the parliament, and this liberty afforded the demagogues a good opportunity for inflaming the passions of the deluded, and disseminating their own pernicious opinions. Meetings were held in various parts of the kingdom for the ostensible purpose of petitioning for parliamentary reform, and the metropolis followed the example. When we come to the case of Watson and Thistlewood, we shall enter fully into the atrocious scheme of those who devised many of these meetings, but at present it is necessary to confine ourselves to a detail of facts, which will serve as an illustration of what is to follow.

The first meeting, which may be called the preliminary to the riot, took place November the 15th, 1816, in the Spafields, then a wild uninclosed space. A flag was unfurled bearing the following words:—"Nature to feed the hungry—truth to protect the oppressed—justice to punish offenders." Hunt attended in consequence of an invitation, and some violent speeches having been made, he was deputed to carry a petition to the Prince Regent. This meeting dissolved, after having passed a resolution to meet at the same place on the 2nd of December, to receive the answer to the petition; but the circulation of some addresses proved that the object of the meeting was not of that peaceful nature which its promoters pretended to ascribe to it. On the day appointed, soon after twelve o'clock, the assemblage of the mob commenced, and in less than half-an-hour about 5000 persons had collected round a party supporting tri-coloured flags, and a banner bearing the inscription—"The brave soldiers are our brothers; treat them kindly," who had placed themselves within about thirty yards of the field next to Coldbath-fields' Prison. A cart was found to have been placed on this spot, and in a short time Dr. Watson, his son, and a Mr. Hooper, all carrying tri-coloured cockades in their hats, ascended this rostrum, and were hailed with loud cheers. The doctor and his son then addressed the meeting in most inflammatory speeches; and the latter having wound himself up to a pitch of the most ungovernable fury, called upon the people to follow him, and jumping from his elevated position, he rushed, pistol in hand, at the head of the mob, towards Clerkenwell. The people were under the impression that he was going to lead them to the Mansion-house; but a cry of "Arms" being set up in Smithfield, they rushed down Snow Hill to the shop of Mr. Beckwith, a gun-maker. Young Watson, with five of his followers, immediately entered the shop, the former exclaiming, "Arms, arms, I want arms!" and a Mr. Platt, who was at the door, attempting to arrest his progress, he deliberately shot at him, and wounded him, and then endeavoured to knock him down with the but-end of his weapon. A struggle took place, in which the pistol

Digitized by Google

fell to the ground, and Watson being pushed into the counting-house, and charged by Mr. Platt with having shot him, he cried out, apparently in much alarm, "I am a misled young man—I have been at Spafields—send for a surgeon,—I am a surgeon myself," and immediately set about dressing the wound in a manner which exhibited his ability to afford the aid which he proffered. A surgeon was, however, procured, and during a quarter of an hour, for which he remained in the counting-house, he repeatedly cried out that he was a misled young man. The mob at first had been under the impression that their leader was killed, and on the report of the pistol, many of them fled, but having caught sight of him in the shop they demanded that he should be restored to liberty. Measures were now taken to secure his person, but the mob being infuriated at his long detention, they burst into the house, and having compelled its inmates to fly for safety, and set their leader at liberty, they proceeded to ransack the premises for arms. Having procured all that the establishment contained, they marched under the guidance of their leader to the Tower, and then while young Watson endeavoured to win the soldiers from their allegiance, by assuring them of the good feeling which prevailed towards them on the part of the people, and that they should receive 100 guineas per man if they would join them, the mob continued to scour the neighbourhood in search of arms. While, however, the great body of the rioters had thus followed in the steps of their leader, others pursued a different direction, and taking St. Giles, St. Clement's, and the Strand, in their march, despoiled every shop which they approached of such articles as they deemed might be useful to them. The irruption was so sudden, that the means of opposing the proceedings of the rioters could not speedily be obtained. The lord mayor, Sir Matthew Wood, showed great determination; and notwithstanding the most violent proceedings on the part of these fellows, he and Sir James Shaw, the chamberlain, succeeded in securing three of the insurgents, who had entered the Royal Exchange and who were armed with guns.

The military at length appeared, and many of the rioters were secured, while the others, having thrown away their arms, quickly disappeared. Young Watson, however, was nowhere to be found; and it appears that immediately after he quitted the Tower, being alarmed at his position, he hastily returned to his lodgings, and possessing himself of some papers and other articles he went to a public-house in Fetter-lane, where he found his father and Thistlewood. The trio considered themselves as being likely to be taken into custody, and they in consequence quitted London for Northampton immediately. On their arriving at Highgate, however, they were seized on suspicion of being footpads, but a scuffle taking place, the elder Watson alone remained in the hands of their assailants, while his companions effected their escape. Young Watson had the good fortune to reach London again in safety, and his friends having provided him with the means, he sailed directly for America.

Several of the rioters were brought to trial, but John Cashman, a sailor, alone was capitally convicted and punished. There can be no doubt as to the justice of the sentence and punishment inflicted on this man; but it is also equally clear that while he was indubitably guilty of a most gross offence, others were even more culpable, inasmuch as they were actuated by deliberate motives of mischief, while he was goaded on by hunger and

Digitized by Google

misery; and besides, as many believed, was occasionally in some degree affected by symptoms of insanity. It appears that Cashman was one of the most active of the rioters who attacked and demolished Mr. Beckwith's shop in Skinner-street. Several persons deposed that he frequently brought out bundles of fire-arms and distributed them among the mob in the street, and he was actually apprehended with one of Mr. Beckwith's guns in his hand, at the Royal Exchange, being one of those seized by the lord-mayor.

For this offence Cashman, with four others, was brought to trial at the Old Bailey, January 20th 1817. The indictment did not charge them with any species of treason, being confined to capital felony only, for stealing the fire-arms, &c., stated to be considerably above the value of two hundred and fifty pounds. The names of the four others were,—John Hooper, R. Gamble, William Gunnell, and John Carpenter. Two of these were apprehended at the same time as Cashman, and under similar circumstances, and the evidence against them all went to implicate them in the crime of felony; but the jury, to the apparent astonishment of the court, acquitted all but Cashman, who was found guilty and sentenced to death.

When asked what he had to say why sentence of death should not be passed on him, he addressed the court as follows:—

"My lord—I hope you will excuse a poor friendless sailor for occupying your time. Had I died fighting the battles of my country, I should have gloried in it; but I confess that it grieves me to think of suffering like a robber, when I call God to witness that I have passed days together without a bit of bread rather than violate the laws. I have served my king for many years, and often fought for my country; I have received nine wounds in the service, and have never before been charged with any offence. I have been at sea all my life, and my father was killed on board the Diana frigate. I came to London, my lord, to endeavour to recover my pay and prize-money, but being unsuccessful I was reduced to the greatest distress; and being poor and penniless, I have not been able to bring witnesses to prove my innocence, or to acquaint my brave officers, or I am sure they would all have come forward on my behalf. The gentlemen who have sworn against me must have mistaken me for some other person, there being many sailors in the mob; but I freely forgive them, and I hope God will also forgive them, for I solemnly declare that I committed no act of violence."

Wednesday morning, March the 12th 1817, was the time appointed for the execution of this unfortunate man, and to make the dreadful ceremony as awfully impressive as possible, it was ordered that he should suffer in front of Mr. Beckwith's shop, where the crime for which his life was forfeited had been committed.

After conviction, the unhappy man stated that on the day of the riots he had been to the Admiralty to endeavour to procure the payment of 200*l.*, to which he was entitled for prize-money, and that on his way home he was persuaded by a brother sailor to go to Spafields. On their way they drank a great deal of liquor, and having had but little food during the two preceding days, it had a great effect upon him. He expressed a desire that his prize-money should be given to his brother and mother.

On the morning of the execution great precautions were taken to

Digitized by Google

prevent any disturbance, and troops and constables were placed throughout London to quell any appearance of riot. At eight o'clock Cashman was brought from his cell, and he appeared perfectly composed, but exhibited a great deal of levity. As he passed through the Press Yard, he exclaimed with an oath, that he wished a forty-four pounder would come and cut him in two, rather than he should go into Jack Ketch's hands.

On his leaving the prison, he bid every one good-bye whom he met, and exhibited great want of feeling. When he arrived at the scaffold the mob expressed great indignation by groans, and hisses, in which he joined; and the executioner having at length completed his preparations, the drop fell in the midst of his abusive exclamations.

JAMES WATSON THE ELDER, JAMES WATSON THE YOUNGER, ARTHUR THISTLEWOOD, THOMAS PRESTON, AND JOHN HOOPER.

INDICTED FOR HIGH TREASON.

After the military had dispersed the rioters on the 2nd of December 1816, Dr. Watson, his son, and Thistlewood, quitted London in haste, and were pursuing their journey into the country when the patrole stopped them at Highgate on suspicion of their being highwaymen; what helped to confirm this opinion was, the circumstance of a pistol protruding itself from Dr. Watson's breast, in consequence of which he made him prisoner, but with considerable difficulty; and in the squabble which ensued, the younger Watson and Thistlewood made their escape. Some people coming out of a public-house at this instant, the doctor was given in charge to them, while the patrole went in pursuit of the fugitives. During his absence the doctor made an unsuccessful effort to regain his freedom, and in the struggle stabbed one of his detainers with a cane-sword,

For this offence or accident, Dr. Watson was indicted at the Old Bailey on Tuesday, January the 21st 1817, charged under the cutting and maiming act; but the counsel for the prosecution having stated the case, the judge who presided suggested the necessity of stopping it, as the indictment could not be supported.

The doctor was acquitted, but not liberated, for a charge of great magnitude was suspended over his head, which, at length, descended in the form of an accusation for high-treason.

The government had received information of a formidable and dangerous conspiracy, in which Dr. Watson and others were stated to be deeply implicated, and the parties were in consequence apprehended, and with the doctor were committed to the Tower.

A bill being found by the grand jury, Watson, Thistlewood, Preston, and Hooper, were brought up from the Tower to the court of King's Bench, on the 17th May 1817. They severally pleaded not guilty, and were then taken back to the Tower, from which they were again brought up on the 9th June.

Dr. Watson was first arraigned, and John Castles was the witness called to prove the most material facts against him. He said that he knew the prisoner, and had not had any promise of pardon for giving evidence.

Digitized by Google

He became acquainted with the prisoner about a month before the Spafields meeting, and saw him at the Cock in Grafton-street, where he went to meet a society called the Spenceans. On the following night he met Watson and Preston by appointment at the Mulberry Arms, Moorfields, at a society of the same description; and he there saw present young Watson, Hooper, Thistlewood, the two Evanses, father and son, and one John Harrison. After the meeting broke up, he walked away with the elder Watson, who observed, that it was a very easy matter to upset government, provided a few good fellows would act together. He then said, that he had drawn out a plan that would debar the cavalry from acting, by interrupting the horses, and that he had got several people who had solicited at different houses, and that they had formed a committee which was sitting, to devise the best modes and plans. He inquired where the witness lived, and promised to call the next morning, and show him the plan.

In pursuance of this appointment he called at the lodging of Castles on the following Sunday morning, and produced several papers, one of which was a plan of the Tower, and another a plan of the machine, which he had described on the Thursday before, for obstructing the cavalry. It was to run upon four wheels, with sharp knives, which were to be on each side, and spikes in the middle. The knives were to be something like scythes, and placed horizontally. There were also several other drawings of the Tower-bridge, and different places and entrances about the Tower. "He then," continued Castles, "asked me how many men I could bring; and how many I knew. I told him I knew a great many, but I did not know whether they would act when put to the test; he begged I would exert myself as much as I could. I told him that I was a smith, and that I had nothing but my little business to live on; but he said never mind that, they would find something better for me than that; they had plenty of money for everything. We then made another appointment, and I met him at one Newton's. Similar conversation took place there, and he said they had got a committee consisting of five; namely Harrison, Preston, Thistlewood, and his son, and himself; and that I should be made one of the generals, and head a party of pikemen and other men, and that I should hear further in a few days, and might consider myself as one of the committee from that time; that I should make the sixth, and they would not have any more.

"Shortly afterwards I met the elder Watson, and we went to King Street barracks, and across the Park to a small magazine in Hyde Park, where the powder is kept, to examine the whole of the avenues, and determine which was the best place for setting fire to the barracks. There was also one Skinner with us, but he left us in the Park, and Watson said he thought that Skinner had been a cleverer man than he was; that he intended to have made an officer of him, but he found him not at all calculated, as he had not any cultivated idea whatever.

"About this time I was introduced to Thistlewood by one John Harrison. Thistlewood asked me how much money it would take to make a few hundred pikes, and how long it would take me. I told him it would entirely depend on their size, and the steel or iron they should be made of. He said they should be about nine or ten inches long, and I told him that they would come to about fourpence or fourpence-halfpenny a pound. He

Digitized by Google

wished me to make one for a pattern, and I told him I would; but that I had no place to make them in, and Harrison replied that he knew a person who would lend me the use of his forge. Hooper and Harrison went with me to a little shop in a cellar, kept by a man of the name of Bentley, in Hart-street. I asked him to allow me to make use of his forge to make a pike, to put round a rabbit-warren, or fish-pond. He told me that if I would look out a piece of iron, he would make it himself, and, when done, it was given to me, and I took it away. I afterwards carried it to one Randall's, where I met the two Watsons, and Thistlewood, Harrison, and Hooper; and Watson said that it was a famous instrument. Watson then wrote down the name of the house where the committee sat, No. 9, Greystoke-place, on a paper for me. On the night before, I had been to Paddington with Thistlewood among the bargemen to seek to make converts, and we found a great number of them out of employ, and treated them with some beer. We sounded them, and they said that they wanted a good row, for that they would rather be killed than be as they were. We told them that we wanted them for a job, and asked how many they could collect together, and they said that they could get five or six hundred any morning, as there were so many out of employment. We afterwards went to two public-houses in Long Acre and in Vinegar Yard, which are used by the soldiers who attend the theatres, and we treated them with beer. We asked them how they were treated by their officers, and what was their pay, and one of them, a Yorkshireman, spoke violently against the government. The conversation was about their pay, and as to their being discharged without pensions. We also went to the Fox-under-the-Hill, in the Adelphi, where we found a great number of coalheavers, and having entered into conversation with some of them, they said that they could get fifty or sixty of their fellows, who were out of employment, to join us any day. I subsequently went about alone with the same object, and if I found any man more violent than the rest, I took down his name and communicated it to Thistlewood. A day or two afterwards the committee met in Greystoke-place, to deliberate upon the best plan to set fire to the barracks, and to get all the men we could together. A pike was produced, and Thistlewood directed that Bentley should make 250 of them immediately. Dr. Watson and I reported that we had examined the barracks at Portman-street, and King-street, and had ascertained the number of their avenues; one object being to see how many entrances there were in order to guide us in ascertaining how much combustibles would be necessary to set the whole on fire, so that the soldiers should not escape. A general meeting was appointed at Greystoke-place, to arrange the whole of the business, and how it was to be conducted in each way, and we met on Sunday, previous to which I paid part of the money to Bentley for the 250 pikes, and ordered them to be made off-hand as soon as possible. When we met, Thistlewood produced a map of London. It was marked out which were the best roads to take; and we arranged the number of men who were to be collected together at the different barracks and places to be attacked. The whole of the committee were to act as generals; to have their several stations; and were to attack the separate barracks at one given time and moment. Watson proposed Thistlewood as the head general. Thistlewood and young Watson were to take the guns and two field-pieces that were in the artillery-ground in Gray's Inn-lane; Preston was to

Digitized by Google

attack the Tower; Harrison the artillery-barracks near the Regent's Park; and I was to set fire to the King-street barracks, and either to take the men prisoners, or kill those that might attempt to escape; the elder Watson was to set fire to the Portland-street barracks. We were to attack the whole of those places at a given hour, and set them on fire at one in the morning; we were to take any person we met, and make them join us—such as gentlemen's servants; and coachmen were to be taken from their carriages, and those who could ride were to have the horses, which were to form a cavalry, and the coaches and carriages were to be used to barricade the entrances. After I had set fire to the King-street barracks, and after we had seen that all were in flames, and that none had made their escape, I was to meet the elder Watson at the top of Oxford-street. Harrison was to join us with the artillery, which he was to bring from the barracks by the Regent's Park, and as soon as that was done, there was to be a volley fired, to let the remainder know we had got possession of the artillery. Piccadilly gate was to be fastened and chained, and a party stationed there to fire upon the horse if they attempted to come from the barracks, and then others were to proceed towards Charing Cross and Westminster Bridge, and barricade there all the avenues upon that side, to prevent them coming round by Chelsea and that way, and then young Watson and Thistlewood, after getting possession of the guns, were to break open all the oil-shops and gunsmiths'-shops, in which they could find either combustibles or arms. They were then to blockade Chancery-lane, and Gray's Inn-lane to St. Giles's, where Thistlewood was to make his grand stand. One gun was to be pointed up Tottenham Court-road, and the other up Oxford-street.

"Preston, if he had not succeeded in taking the Tower, was to barricade London Bridge, to prevent the artillery coming from Woolwich. He was then to barricade Whitechapel, to prevent any troops coming from the country that way; and then when he had a body sufficient, the main body was to have met at the Bank.

"After this arrangement had been made, Watson calculated how much combustibles it would take for every avenue, such as sulphur and spirits of wine, and how much they would cost. He said they would come to one hundred pounds. Thistlewood said, 'Let us not spare a hundred pounds; let us roast them well.' Watson replied, that it would burn so rapidly, and the stench would be so strong, that it would stifle them in a few minutes. Young Watson and I were appointed to look after a house between the King-street and the Portman-street barracks to lodge the arms and combustibles in. We were to take it as an oil and colour shop, so that no suspicion should be excited as to our receiving the combustibles. The attack upon the barracks was to have been made on the Saturday night or the Sunday morning, between the 9th and 10th of the month, as it was supposed that at that time there would be a great number of persons about drunk, and the greater confusion would be produced. It was then arranged that we should have a committee of Common Safety, to be called together, if we got the better of the soldiers. If the soldiers joined us, we were to be called together, and to form a new parliament; the greatest part of the names of the members were mentioned by Watson and Thistlewood. These were, Sir Francis Burdett, the Lord Mayor, Lord Cochrane, Mr. Hunt, Major Cartwright, Gale Jones, Roger O'Connor, Fawkes of Bain-

Digitized by Google

bridge, a person named Brookes, Thompson, of Holborn Hill, the two Evanses, Watson the elder, and Thistlewood. A proclamation was to be issued immediately we had got the better, announcing that the new government would be formed immediately, and offering a bounty of 100*l.* to the soldiers if they would join us, or double pay for life, at their option. Things being thus far settled, and several meetings having been held at public-houses in Spitalfields, and other places, it was at length finally determined to call a public meeting to see how many people could be collected together. The place talked of was Spafields, and young Watson and some others left the committee sitting, to go and inspect the ground. They returned saying that it was a famous place, being so near the Tower and the Bank that they could get into the town and take them by surprise. A placard was to be posted through the town and hand-bills were to be distributed, and the bill having been drawn up, it was read and agreed to, and it was determined that it should be published in the "Statesman" newspaper immediately, as the meeting was to be called on the 15th of November. Thistlewood then produced a 10*l.* note to pay for the printing of the bill, and to pay for the remainder of the pikes, and I undertook to get a waggon to speak from. We were to have a flag of three colours, green, red, and white, with the motto, "Nature, truth, and justice," and I undertook to carry it. I also went to Paddington to get some navigators to carry about some placards, and on the following morning I met young Watson at a coffee-shop in Kingsgate-street, Holborn, to receive the money to fetch away the pikes, and to buy two mail-bags to put them in. When we went to the printer, he said that he was afraid of publishing them, for that he feared he might get into trouble, and that he would destroy 200 of them which he had finished. His wife and several of us, and a gentleman who was with him, and another who came in afterwards, all wanted to persuade him to let us have them, and promised that we should cut his name off so that he should not get into any harm. He said "No," he would have nothing to do with them, and that he should destroy them. It was then resolved that Watson the elder should go to one Seale, a printer in Tottenham Court-road, to see if he would print the bills, and he returned, and reported that there would be two hundred and fifty copies ready by eight o'clock on Wednesday morning. Letters were then written to Sir Francis Burdett and Mr. Hunt, to invite them to attend the meeting.

"By this time we found it necessary to give up our plan of burning the barracks in consequence of our having met with more difficulty than was anticipated in getting possession of the house intended for the depository of the combustibles, but having obtained a promise from Mr. Hunt that he would preside at the ensuing meeting, it was settled that we (the committee) should be on the spot previous to his arrival, and that the two Watsons and Preston should address the mob, and if we saw the spirit of the people was ready to act, we were to jump down, and head them into the town. There were six cockades, and some flags prepared, and those cockades were to be placed in our hats or bosoms, and if the mob called out for weapons, we were to tell them that we should soon find them weapons: for, at that time, there was scarcely a gunsmith's shop in London which had not been inspected, to see what number of guns it contained. We were to proceed to the Bank, and take it by surprise, and to place men

Digitized by Google

upon the roof to destroy the soldiers if they should attempt to retake it: they were not only to get to the top of the Bank, but also upon the tops of the surrounding houses, and to get glass bottles, and everything that would kill or hurt; the whole of the Bank books were to be brought out, and burnt, in order to do away with the national debt.

"On the morning of Friday, the 15th of November, which was the day of the first Spafields' meeting, I went to Thistlewood's lodgings, in Southampton Buildings, and received the colours and six cockades from Thistlewood, in the presence of Mrs. Thistlewood and her son, and I went off to the meeting, carrying the colours in my bosom, and the staff to fix them on in my hand. When the business of the meeting had commenced, and Hunt had got on the top of a coach to address the mob, Thistlewood desired me to hoist the colours; I took them out of my bosom, and tied them on to the staff, as I stood upon the box of the carriage. A motion was afterwards made for us to remove to the house, and I then handed them to some person in the one pair of stairs room. Several speeches having been addressed to the populace, the meeting was adjourned to the Monday fortnight; and we got into a hackney-coach to return. I showed the colours out of the window, and the horses were taken out by the populace, and we were drawn along, but had not proceeded many yards, when by some means or other we were run against a wall, and we all got out.

"Preparations were now made for the second meeting, fixed for the 2nd of December, and young Watson and I were sent out to collect subscriptions for defraying the expenses, and also for the purpose of inspecting gunsmiths' shops, and to see where the arms and ammunition were situated about the Tower, and amongst the various wharfs and gun wharfs, and the establishments of those gentlemen who served the ships, such as ship chandlers, and ship brokers, to ascertain where balls, canister, and grape-shot might be found, and what quantity there was. We also examined the oil-shops where there were any combustibles, such as oil, turpentine, and such things, and regularly reported to the committee every night what was done.

"Among other things, it was proposed at one of the meetings of the committee, that we should get a couple of hundred young women together, and dress them in white, who were to walk first, in order to take off the attention of the soldiers. We were all actively employed in distributing bills announcing the meeting for the 2nd December, and in going from one public-house to another to secure the co-operation of the soldiers and labourers; and I hired a waggon to be taken to Spafields to be used as a stage for the speakers: young Watson and I were also employed in purchasing fire-arms for our own party. Flags and cockades were then prepared and delivered into my custody. On the morning of the day of meeting, we assembled at the Black Dog in Drury-lane, and it was agreed that the colours should be affixed to the staff, and that in the event of any of the civil authorities interfering they were to be shot, or run through. Some bullets and slugs were put into an old stocking, and tied in an old dirty white handkerchief, in order to be carried to the waggon. I afterwards found Keens preparing the banner, bearing the inscription "The brave Soldiers are our Friends, treat them kindly," and I then went to the place whither I was ordered, namely London Bridge,

Digitized by Google

to meet the smiths, but I found everything quite quiet, and saw no one I knew. I next proceeded to Tower Hill, and I found the gates shut, and an extra sentry on duty, and on inquiring I found that the gates were closed on account of the meeting. I afterwards went to the Bank, which was also closed, and then to Little Britain, and there I met a great mob headed by Dr. Watson, with his dirk-stick drawn, and Thistlewood. I inquired where young Watson was, and his father answered 'To the Tower, first to the Tower! or we shall be too late.' They passed on, and I lost sight of them, and afterwards on my seeing Keens, he told me what had occurred at Spafields, that he had been in the waggon, that he was afraid that he had left the balls and bullets behind him.

We afterwards overtook Mr. Hunt going towards Spafields; he was in a landau: and I stopped him and asked him why he was so late; he inquired what was the matter; I answered, that Dr. Watson had gone to attack the Tower. Keens and I then went towards the Tower, and stepped into a gunsmith's shop, and stopped some time. After that, I saw young Watson close by the Bank, at the back of the Exchange; he had in his hand a drawn sword, and was encouraging the mob to follow him. A great many were firing in the air: there were about two hundred men and boys.

"I then left young Watson, and went to Tower Hill, where I saw old Watson and Thistlewood; they went up close to the Tower rails, and seemed to be addressing themselves to the soldiers across the walls of the Tower, but I was not near enough to hear what was said. They turned up the Minories to go to Spafields, to get a greater force, as the soldiers did not seem to take any notice of them; but when near the top, thirty or forty soldiers met them, and the mob threw down their arms and ran away. I walked forward with the soldiers as if I had nothing to do with it, till the soldiers had passed me, and then turned back again, and went down towards Tower Hill. At the corner of Mark-lane, I went into a little public-house, and stopped until nearly dark, when I went to No. 1, Dean-street, where I arrived about six or half-past six o'clock. I found there the two Watsons, Preston, and Thistlewood. The elder Watson and Thistlewood began to pack up their linen, as if going away. I inquired where they were going to, and Thistlewood said, they were going a little way in the country, and we should hear from him in the course of a day or two. I inquired what had become of Hooper, and he said, Hooper was taken with the colours, and some of us must expect to be taken. I inquired if young Watson had shot anybody, and he said he did not know, but that he was perfectly well satisfied that the people were not ripe enough to act. We parted a little after; he and the two Watsons went away together about seven o'clock, but I stopped at the public-house until near dark."

On his cross-examination it appeared that this witness was a government spy, and that his morals admirably fitted him for such an employment. There were few crimes, short of murder, with which he was not made to charge himself.

On the close of the case for the prosecution Mr. Wetherell proceeded to comment on the evidence which had been given, in a strain of argumentative eloquence which evinced at once the deep lawyer and brilliant advocate.

Digitized by Google

On the 6th day of the trial Mr. Hunt and several other witnesses were called whose testimony went to impeach the credit of Castles and others for the prosecution, after which counsel was heard for the prisoner, and the attorney-general spoke in reply.

Watson having declined to make any defence after the ability displayed by his counsel, Lord Ellenborough proceeded to charge the jury, who returned a verdict of acquittal, founded apparently upon the incredibility of the testimony of the witness Castles.

The subsequent proceedings against Thistlewood and his companions, which terminated more unfavourably for the safety of the former, will be given hereafter.

PATRICK DEVANN.

EXECUTED FOR THE MURDER OF THE LYNCH FAMILY.

In the county of Louth in Ireland, and at the distance of about nine miles from the town of Dundalk, stood some years ago a house called Wild-Goose Lodge—a name conferred upon it from its whimsically chosen situation on a small peninsula jutting into a marsh meadow, which was occasionally transformed into a lake by the winter floods of the Louth. In summer, the residence was reached from the meadow without difficulty; but during winter, the case was very different, it being then approachable only by a narrow neck of land hemmed in by the surrounding waters. At a period to which we refer, Wild-Goose Lodge was tenanted by an industrious man, name Lynch, and his family. Lynch had been successful in improving a few fields attached to his dwelling, and somewhat elevated above the yearly inundations; he was in the habit also of raising a considerable quantity of flax, which he manufactured into cloth, and carried to the adjoining markets of Dundalk or Newry, where it was readily sold to advantage. By these means he rose in respectability among his neighbours, and comfort and contentment smiled around his dwelling. But an evil hour came, and he himself was unhappily in some measure instrumental in bringing it on.

An illegal association, bound by secret oaths, sprung up among the Roman Catholics living around Wild-Goose Lodge. Lynch, though a moderate man, believed that such a combination, on the part of those who held the same opinions with himself, was necessary to counteract similar demonstrations on the opposite or Protestant side, and he therefore joined the association. A very short time sufficed to show him the imprudence of his conduct. Wild-Goose Lodge was a central point in a remote and secluded district; and the members of the association, not without the countenance at first of the occupier, began to make the house their usual point of assemblage. Their numbers, however, speedily increased so much as to submit the family to great inconvenience; and their views, besides, so far exceeded Lynch's own in violence, as to place him under just apprehensions lest he should be held as the leading promoter of all that might be said or done by those who made his dwelling their nightly haunt. Forced to act, in this dilemma, for the sake of himself and his family, he came to the resolution of desiring his neighbours to assemble no more under his roof. This interdict excited a strong feeling of ill-will against him

Digitized by Google

among the leaders of the combination, and they afterwards habitually gave him every annoyance they could think of, with the view of ejecting him from the place.

Once liberated, in some degree, from the consequences of his imprudence, Lynch persisted in the line of conduct he had entered upon. The result was, that one night a party of men, disguised, entered his house, stripped him in presence of his family, and after flogging him, destroyed his furniture, insulted his wife, and cut the web in the loom from the one selvage thread to the other down to the beam on which it rested. These wanton injuries to an honest, industrious, and (leaving aside his junction of an illegal union) well-conducted man, were galling and hard to bear. Lynch was the husband of an amiable, affectionate wife, and the father of a young family, depending on him for subsistence. If he did bear it in silence, further injuries might follow, and himself, with the wife of his bosom and his helpless babes, be deprived of their all, and thrown upon the world to beg for subsistence. Again, to denounce those with whom he had joined in an oath, was a proceeding not only full of danger, but to which Lynch could with difficulty bring his mind. Anxious and irresolute, he appealed to the minister of his religion for protection, but it was of no avail. His midnight persecutors continued to harass him; and at last, seeing the ruin of his family inevitable, unless he bestirred himself, and being able to point out and identify those who had injured him, Lynch determined to brave the anger of his assailants, and appeal to the laws of his country. Having formed this resolution, he held to it, in spite of the most awful and ominous endeavours to intimidate him; and two of the party, who had attacked his house, were prosecuted, convicted, and suffered death.

Terrible was the wrath of the secret associates, among whom it chanced there were some men of such characters as are happily rarely to be met with in the world. One of the oaths taken by this body was, that no one member should bring another before the bar of justice. Certainly this oath, bad as it was in every sense, never contemplated that one member was not to resent the gross injuries done to him by another. But, as might have been anticipated from the previous exhibition of feeling, Lynch was held, in the strongest sense of the word, to have violated the oaths he had taken.

Not far from Wild-Goose Lodge stood a chapel, where the association met after the ejection of its members from the house of Lynch. The leading man of the body, Patrick or Paddy Devann, was clerk to the priest of the district, and had the charge of the chapel. Within this building, consecrated for widely different purposes, the midnight band assembled on a night destined by the leaders of the party for the destruction of the unfortunate Lynch. Devann, the principal agent in the scene, in order to make a deeper impression on the minds of the crowds present in the chapel, assembled them around the altar, and after administering an oath of secrecy to them, descanted on the falling off of Lynch, and the necessity of suppressing all defections among themselves. He then darkly hinted the object of the meeting to be Lynch's punishment, and hoped that it would serve as a warning to them all to be firm to the obligations on which they had entered, and true to the interest of the body. Having finished his address, Devann then lifted from before the altar a potsherd containing a piece of burning turf, and, moving from the chapel, desired them to follow him.

Digitized by Google

Some scores of the band were on horseback, having come from distant places at the imperative summons sent to them. Many more were on foot; and all these moved stealthily onwards, Devann preceding them, towards the devoted victim. To the credit of human nature it must be stated, that few of this numerous party had the slightest idea of what was intended by the originators of the movement. As the men went along, they were inquiring among themselves in whispers, what was to be done; even those who had heard Devann's threats did not believe that they would be enforced, or that any further injury would be done than had been inflicted before.

Silence reigned along the party's route, as they approached the abode of the unoffending, unsuspecting, and sleeping family.

While the majority of the persons present still remained ignorant of what was to be accomplished, but obeyed their leaders passively, an extensive circle of men was formed by Devann's directions around the devoted dwelling. Then those few who were aware of all the enormity of the project, crept forward along the ground towards the house, the pike in one hand and the lighted turf in the other. Well did the wretches know that there was no chance of escape for those within, for the house was filled with the flax by which poor Lynch made his bread; and as soon as it was caught by the flame, extinction was a thing next to impossible. The turfs were applied, and in a few minutes the house was on fire—with a family of thirteen souls beneath its blazing roof! The flames rose towards the sky, and illuminated the adjacent scene. Speedily were heard from within the supplicating cries of the miserable victims, "Mercy! for God's sake, mercy!" But the cry was vain. So far from evincing any feelings of compunction while the work of destruction was going on, the wretches who had caused it stood ready with their pikes to thrust back those who might attempt to escape. One attempt was made to move their pity; and had the men hearts, they must have been moved. The wife of Lynch, while her own body was already enveloped in flames, had endeavoured to preserve the infant at her breast, and she appeared at the windows, content to die herself, but holding out her child for mercy and protection. Frantically she threw it from her. And how was it received? On the points of pikes, and instantly tossed back into the burning ruins, into which at the same time sunk its hapless mother. One other only of those within, and this was a man, one of Lynch's assistants, appeared on the walls, beseeching for mercy; but he likewise received none. The veins of his face were visible, swollen like cords, and horror was painted on his whole aspect. He, and all who were within, perished. Lynch himself, either cut off early, or resigned to his fate, never appeared, either to denounce the act of his persecutors, or to supplicate their pity.

It is impossible to say with what feelings the main party encircling the house at a little distance beheld the consummation of the purposes of the night. The majority of them certainly felt horror, while others, in whose mind a blind hatred of Lynch was predominant, felt mingled sensations of horror and exultation; and the conjoined feelings expended themselves in cries, that were re-echoed by the groans of the victims. The terrified peasantry of the neighbourhood who had not joined the associated throng, started from their pillows, and gazed towards the ascending flames of Wild-Goose Lodge with fear and shrinking; for they too well

Digitized by Google

knew the feelings of the district to regard it as a common accident, which it would have been their duty and their pleasure to have aided in suppressing and relieving. Until all sounds of life, therefore, were extinct within the burning house, the authors of the deed looked on undisturbed. When all was over, they skulked away, each to his own home.

The winds of autumn and the storms of winter had swept the ashes of Wild-Goose Lodge over the fields which Lynch had cultivated, ere any one of the actors in this atrocious crime was brought to justice. But the presence of some of the less guilty of them having been discovered, and brought home beyond a doubt, these, in order to save themselves, made a revelation of all they knew and had seen. Anticipating this, the ringleaders fled to various parts of the country; but the arm of the offended law overtook them. Devann was found in the situation of a labourer in the dockyards of Dublin, and others were taken at different times and places. Eleven were executed; and to mark the atrocity of their crime, their bodies were hung in chains at Louth and other spots in the neighbourhood of Wild-Goose Lodge. Devann was executed within the roofless walls of the house in which his victims were immolated, and his body was afterwards suspended beside those of his associates.

The date of his trial was the 19th of July 1817, and he was executed immediately afterwards.

JEREMIAH BRANDRETH, WILLIAM TURNER, AND ISAAC LUDLAM.

EXECUTED FOR HIGH TREASON.

In an introductory paragraph to our account of the Spafields' riot we took occasion to mention the most prominent causes of public discontent; and though these had partially disappeared in 1817, still the impulse given to disaffection continued to operate for a considerable time, being protracted by the injudicious resort of Government to the system of spies and informers, who no doubt fanned that flame of disloyalty which had nearly caused a traitorous explosion in the county of Derby, more formidable and appalling than that for which Brandreth and his ill-fated companions suffered.

The agent for Government in the northern districts was a wretch named Oliver, and it is imagined by some that the miserable individuals whose names head this article were his victims.

The scene of this outbreak was Pentridge, Southwingfield, and Wingfield Park, in Derbyshire, a neighbourhood hitherto peaceable, and in which few would have looked for an insurrection of this kind.

Jeremiah Brandreth, better known by the name of the "Nottingham Captain," was one of those original characters for which nature had done much, and education nothing. Of his parents or early habits we know nothing; for on these subjects he maintained a studied silence, and all that was ascertained in reference to his life previously to his execution was that he had been in the army, and that he had a wife and three children, for whose support he was occasionally compelled to apply to the parish-officers for relief. His age was about twenty-six, and he is described as having presented a most striking appearance, from the exceedingly bold and resolute expression of his face.

Digitized by Google

Turner and Ludlam were both men of good character up to the time of their becoming parties to the transactions which cost them their lives. The latter had a wife and twelve children, and, being a regular attendant at a Methodist meeting-house, in the absence of the preacher conducted the prayers of the people.

These unfortunate men acted under a complete illusion. Formal statements of the number of the disaffected were given them, as well as the quantity of arms and ammunition collected, &c., accompanied with flattering pictures of the liberty, happiness, and wealth which were to wait upon success.

On the 5th of June, Brandreth came from Nottingham to the neighbourhood of Pentridge, to take command of the rebel forces; and on the 9th, they proceeded on their march for Nottingham, where it was reported, several thousands anxiously waited their coming, that they might unite in forwarding a revolution. Their numbers were truly contemptible, not exceeding forty or fifty; yet, small as they were, they committed several excesses, and Brandreth shot one harmless man. It was during the night that they commenced operations; and next morning, on the approach of a score of cavalry, they precipitately fled, leaving their arms scattered behind them. Several were then apprehended, and many more on the two or three ensuing days, and Brandreth was among their number.

To try these rebels, a special commission was issued, which was opened at Derby on the 15th of October 1817. Brandreth was the first put on his trial; and as the evidence against him was conclusive, he was found guilty. Turner and Ludlam were also convicted, as well as a young man named Weightman, whose sentence was afterwards commuted to transportation. Justice being now satisfied, twelve men pleaded guilty, and the remainder were discharged. Those who pleaded guilty received sentence of death, but were afterwards respited.

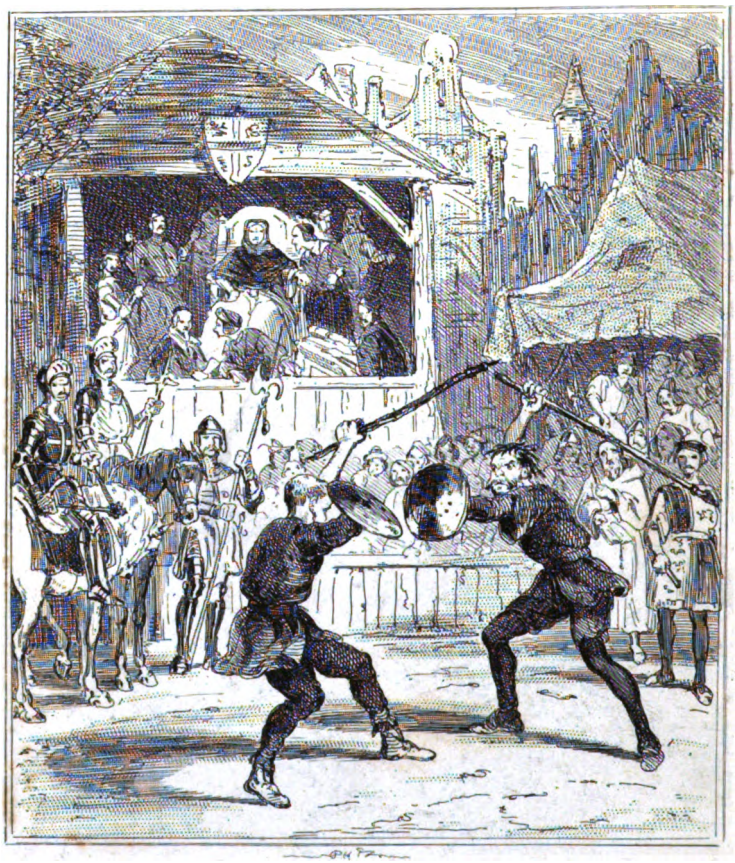
The unfortunate Brandreth, on being removed to prison, after his conviction, although he exhibited a manly firmness, was nevertheless much affected. The other prisoners thronged around him in anxious suspense to hear his fate; he uttered the single and appalling word—Guilty; and, in a moment, a perfect change was visible in the countenances of those whose lot was undecided.

Brandreth throughout his confinement seemed to have entertained a confident expectation of acquittal; and this hope appears to have rested solely on the supposed impossibility of identifying him, as he was a total stranger in that part of the country where the outbreak had occurred, and had, from the time of his committal, allowed his beard to grow, which completely shaded his whole face. The singular cast of his features, however, aided by the peculiar and determined expression of his eye, rendered his identity unquestionable; and almost every one of the witnesses swore to the person of the "Nottingham Captain." This wretched man, both before and after his conviction, evinced the utmost propriety of conduct. He appeared calm and happy, and exhibited great firmness in the contemplation of his unhappy fate.

His companions in misfortune, however, evinced much less fortitude; for each appeared the very picture of despair. They attributed their melancholy fate to Brandreth and a fellow named Bacon, who, however, evaded the punishment due to his crime.

Digitized by Google

Digitized by Google



Trial by Battle.

London Published by Thomas Tegg Cheapside

Digitized by Google

The execution of the convicts was fixed to take place on the 7th of November 1817, and at a quarter past twelve o'clock at mid-day they were carried to the scaffold on a hurdle.

The demeanour of Brandreth was calm in the extreme, and just before the drop fell he cried out to the people assembled, "God bless you all, and Lord Castlereagh." He died without a struggle; and when he had hung the usual half-hour, his head was removed and exhibited at the four corners of the scaffold, the executioner exclaiming, "Behold the head of a traitor!" From the manner of this functionary the mob were apprehensive that the head was to be flung in the midst of them, and they rushed back in great precipitation. They were, however, soon undeceived, and upon the same course being pursued with regard to Turner and Ludlam, they had regained their confidence.

ABRAHAM THORNTON.

TRIED FOR MURDER.

This case is remarkable, not only for the lamentable atrocity of the offence imputed to the unfortunate prisoner, but from the fact also of the brother of the deceased person having lodged an appeal, upon which the prisoner demanded "wager of battle," the consequence of which was the repeal of the old law, by which the wager was allowed in former ages, and which had already grown into disuse, although it still remained in existence.

Thornton was a well-made young man, the son of a respectable builder, and was by trade a bricklayer. He was indicted at the Warwick assizes in August 1817, for the murder of Mary Ashford, a lovely and interesting girl, whose character was perfectly unsullied up to the time at which she was most barbarously ravished and murdered by the prisoner.

From the evidence adduced, it appeared that the poor girl went to a dance at Tyburn, a few miles from Birmingham, on the evening of the 26th of May 1817, where she met the prisoner, who professed to admire her figure and general appearance, and who was heard to say, "I have been intimate, and I will have connexion with her, though it cost me my life." He danced with her, and accompanied her from the room, at about three o'clock in the morning. At four o'clock she called at a friend's at a place called Erdington, and the offence alleged against the prisoner was committed immediately afterwards. The circumstances proved in evidence, were that the footsteps of a man and woman were traced from the path through a harrowed field, through which her way lay home to Langley. The marks were at first regular, but afterwards exhibited proofs of the persons whose footfalls they represented, running and struggling; and at length they led to a spot where a distinct impression of a human figure and a large quantity of coagulated blood were discovered, and on this spot the marks of a man's knees and toes were also distinguishable. From thence the man's footfalls only were seen, and accompanying it blood marks were distinctly traced for a considerable space towards a pit; and it appeared plainly as if a man had walked along the footway carrying a body, from which the blood dropped. At the edge of the pit, the shoes,

Digitized by Google

bonnet, and bundle of the deceased were found; but only one footstep could be seen there, and that was a man's. It was deeply impressed, and seemed to be that of a man who thrust one foot forward to heave something into the pit; and the body of the deceased was discovered lying at the bottom. There were marks of laceration upon the body; and both her arms had the marks of hands, as if they had pressed them with violence to the ground.

By his own admission Thornton was with her at four o'clock, and the marks of the man's shoes in the running corresponded exactly to his. By his own admission, also, he was intimate with her; and this admission was made not before the magistrate, nor till the evident proofs were discovered on his clothes: her clothes, too, afforded most powerful evidence. At four in the morning she called at a friend's, Hannah Cox, and changed her dancing-dress for that in which she had gone from Birmingham.

The clothes she put on there, and which she had on at the time of her death, were all over blood and dirt.

The case, therefore, appeared to be, that Thornton had paid attention to her during the night; shown, perhaps, those attentions which she might naturally have been pleased with; and afterwards waited for her on her return from Erdington, and after forcibly violating her, threw her body into the pit.

The prisoner declined saying anything in his defence, stating that he would leave everything to his counsel, who called several witnesses to the fact of his having returned home at an hour which rendered it very improbable, if not impossible, that he could have committed the murder, and have traversed the distance from the fatal spot to the places in which he was seen, in the very short time that appeared to have elapsed: but it was acknowledged that there was considerable variation in the different village-clocks; and the case was involved in so much difficulty, from the nature of the defence, although the case for the prosecution appeared unanswerable, that the judge's charge to the jury occupied no less than two hours. "It were better," he said in conclusion, "that the murderer, with all the weight of his crime upon his head, should escape punishment, than that another person should suffer death without being guilty;" and this consideration weighed so powerfully with the jury, that, to the surprise of all who had taken an interest in this awful case, they returned a verdict of Not Guilty, which the prisoner received with a smile of silent approbation, and an unsuccessful attempt at concealment of the violent apprehensions as to his fate by which he had been inwardly agitated.

He was then arraigned *pro forma*, for the rape; but the counsel for the prosecution declined offering evidence on this indictment, and he was accordingly discharged.

Thus ended, for the present, the proceedings on this most brutal and ferocious violation and murder; but the public at large, and more particularly the inhabitants of the neighbourhood in which it had been committed, were far from considering Thornton innocent, and subscriptions to defray the expense of a new prosecution were entered into.

The circumstances of the case having been investigated by the secretary of state, he granted his warrant to the sheriff of Warwick to take the defendant into custody on an appeal of murder, to be prosecuted by William Ashford, the brother and heir-at-law of the deceased. He was in consequence lodged in Warwick jail, and from thence he was subsequently

Digitized by Google

removed by a writ of *habeas corpus* to London, the proceedings on the appeal being had in the Court of King's Bench, in Westminster Hall. On the 6th of November, the appellant, attended by four counsel, appeared in court, when the proceedings were adjourned to the 17th, by the desire of the prisoner's counsel; and on that day the prisoner demanded trial by *wager of battle*. The revival of this obsolete law gave rise to much argument on both sides; and it was not until the 16th of April 1818, that the decision of the Court was given upon the question. The learned judges gave their opinions seriatim, and the substance of the judgment was, that the law must be administered as it stood, and that therefore the prisoner was entitled to claim trial by battle; but the Court added that the trial should be granted only "in case the appellant should show cause why the defendant should not depart without day." On the 20th the arguments were resumed by the appellant's counsel; but the defendant was ordered to "be discharged from the appeal, and to be allowed to go forth without bail."

Though the rigid application of the letter of the law thus, a second time, saved this unfortunate man from punishment, nothing could remove the conviction of his guilt from the public mind. Shunned by all who knew him, his very name became an object of terror, and he soon afterwards attempted to proceed to America; but the sailors of the vessel in which he was about to embark refused to go to sea with a character on board who, according to their fancy, was likely to produce so much ill-luck to the voyage; and he was compelled to conceal himself until another opportunity was afforded him to make good his escape.

The "trial by battle," which in this case was so remarkably claimed, may be thus described:—

When the privilege of *trial by battle* was claimed by the appellee, the judges had to consider whether, under the circumstances, he was entitled to the exercise of such privilege; and his claim thereto having been admitted, they fixed a day and place for the combat, which was conducted with the following solemnities:—

A piece of ground was set out, of sixty feet square, enclosed with lists, and on one side was a court erected for the judges of the Court of Common Pleas, who attended there in their scarlet robes; and also a bar for the learned serjeants at law. When the court was assembled, proclamation was made for the parties, who were accordingly introduced in the area by the proper officers, each armed with a *baton*, or staff of an ell long, tipped with horn, and bearing a four-cornered leather target for defence. The combatants were bare-headed and bare-footed, the appellee with his head shaved, the appellant as usual, but both dressed alike. The appellee pleaded Not Guilty, and threw down his glove, and declared he would defend the same by his body; the appellant took up the glove, and replied that he was ready to make good the appeal body for body. And thereupon the appellee, taking the Bible in his right hand, and in his left the right hand of his antagonist, swore to this effect:—

"Hear this, O man, whom I hold by the hand, who callest thyself [John], by the name of baptism, that I, who call myself [Thomas], by the name of baptism, did not feloniously murder thy father [William], by name, nor am anyway guilty of the said felony. So help me God, and the

Digitized by Google

saints; and this I will defend against thee by my body, as this court shall award."

To which the appellant replied, holding the Bible and his antagonist's hand, in the same manner as the other:—

"Hear this, O man, whom I hold by the hand, who callest thyself [Thomas], by the name of baptism, that thou art perjured, because that thou feloniously didst murder my father [William], by name. So help me God, and the saints; and this I will prove against thee by my body, as this Court shall award."

Next, an oath against sorcery and enchantment was taken by both the combatants in this or a similar form. "Hear this, ye justices, that I have this day neither ate, drank, nor have upon me either bone, stone, or grass; nor any enchantment, sorcery, or witchcraft, whereby the law of God may be abased, or the law of the devil exalted. So help me God and his saints."

The battle was thus begun, and the combatants were bound to fight till the stars appeared in the evening.

If the appellee were so far vanquished that he could not or would not fight any longer, he was adjudged to be hanged immediately: and then, as well as if he were killed in battle, Providence was deemed to have determined in favour of the truth, and his blood was declared attainted. But if he killed the appellant, or could maintain the fight from sun-rising till the stars appeared in the evening, he was acquitted. So also, if the appellant became recreant, and pronounced the word *craven*, he lost his *liberam legem*, and became infamous; and the appellee recovered his damages and was for ever quit, not only of the appeal, but of all indictments likewise of the same offence. There were cases where the appellant might counterplead, and oust the appellee from his trial by battle: these were vehement presumption or sufficient proof that the appeal was true: or where the appellant was under fourteen, or above sixty years of age, or was a woman or a priest, or a peer, or, lastly, a citizen of London, because the peaceful habits of the citizens were supposed to unfit them for battle.

It is almost needless to add, that this remnant of barbarity has now ceased to exist, an act of parliament, the introduction of which was attributable to the above case, having removed it from the pages of the law-books by which our courts are governed.

CHARLES HUSSEY.

EXECUTED FOR MURDER.

THE murders of the Marrs and the Williamsons were not yet forgotten, when others of a nature equally atrocious and mysterious were committed upon the persons of Mr. Bird, a retired tallow-chandler, who lived at Greenwich, and who was eighty-three years of age, and his housekeeper Mary Simmons, aged forty-four, on the 8th February 1618.

Mr. Bird, it appears, had amassed a considerable fortune by his exertions in trade, and had retired to live on the competency which he had secured for himself at a house at Greenwich, where, his wife having died about two years before, a poor woman named Simmons lived with him in the

Digitized by Google

capacity of housekeeper. The fact of the murder was discovered under circumstances of a curious nature. Mr. Bird and his housekeeper, it appears, had been in the habit of attending Greenwich church regularly, always making it a point to be in their pew before the commencement of the service. On Sunday morning the 9th February, it was remarked that they were not in the church as usual; and at the conclusion of the service, the alarm which had been by this time excited was increased by the discovery of the fact that the house in which they lived had not yet been opened. The beadle of the parish, in consequence, conceived that he was bound to make some inquiries; and having knocked at the door without receiving any answer, he forced an entrance at the back of the premises. On his entering the house, a most shocking spectacle presented itself to his eyes. The body of the housekeeper was found lying in the passage, presenting a most fearful appearance, the skull being frightfully fractured, apparently with a blunt instrument. In a parlour adjoining the passage was found the body of the unfortunate Mr. Bird, lying on the ground, with his arms stretched out, and his skull also fractured in the same manner as that of his housekeeper, and with the same weapon. On the other rooms of the house being examined, it became obvious that plunder was the object of the murderer; and it was found that the pockets of the deceased had been rifled of the keys of the various drawers and boxes, which were found above-stairs marked with blood. Some silver spoons, &c. had been stolen, for it was known that such articles were in the possession of the deceased, but it was unknown what other property had been carried off; although the only money found in the house was 3*l*., which were in a secret drawer, and which had apparently escaped the attention of the murderer. On more minute inquiry being made into the probabilities of the case, it was ascertained that Mr. Bird and his housekeeper were in the habit of retiring to rest at about ten o'clock on every night; but from both of them being dressed, it was obvious that the murders had been effected before that time. Mr. Bird, it appeared, had been reading, as a book was found open on the table, and a pair of spectacles was clenched in his hand as he lay. The murderer, it was supposed, must have obtained admission by the back-door, as it was known that the front-door was always kept chained, and was found to be still in the same condition.

The horrid discovery created a very great degree of alarm; and Mr. Bicknell, a respectable solicitor of the place, having despatched messengers to Bow-street to communicate the dreadful intelligence, some officers were immediately sent down to the spot to make the necessary inquiries. An inquest was held upon the bodies in the course of the week, but no circumstances were elicited which could lead to the discovery of the perpetrators of the deed; and on the following Sunday the remains of the unfortunate deceased were interred in Greenwich churchyard, in the presence of an immense concourse of spectators.

During the three succeeding weeks several persons were apprehended on suspicion, but nothing material could be alleged against them; but at length a complete discovery took place, and the murderer was pointed out by his own sister. This woman was married to a man named Godwin, and resided with her husband at Peckham. About a week after the murders had been committed, her brother, Charles Hussey, came to her house, and said he was going to see his brother, who resided at Basingstoke. He

Digitized by Google

went to a box of his under a bed and took something out; she supposed it was money, for he had sixty-seven pounds left him four days after the murders were committed, by a sister, who cut her throat, in Queen-street, Cheapside, where she had lived. Hussey told his sister he should return in a week, but he did not do so for nearly a fortnight. She then said to him, "Oh, Charles! I have been so uneasy during your absence! I have had such frightful dreams, and could not think what detained you." He replied, "Why, what could cause you to dream?" and appeared greatly agitated. After he had gone away, Mrs. Godwin said to her husband, "I think there is something in Charles's box there should not be;" his behaviour caused her to say so; and with one of her own keys she opened the box, when the first things that met her eye were a pair of watches, which she and her husband suspected to have belonged to the late Mr. Bird. Their suspicion was confirmed by Hussey not returning according to promise, and, with a detestation of so black a crime which did them infinite honour, they repaired to Greenwich and gave information of the circumstance.

Another box of Hussey's was brought, soon after the murders, to a Mrs. Goddard, who resided at Deptford; and as this woman's suspicions were excited by some inquiries made after Hussey, she opened the box, and found in it property she supposed to have belonged to the late Mr. Bird. Officers were sent for, and on searching the trunk, they found a silver wine-strainer, a soup-spoon, two shirts, three pair of sheets; a white jean jacket, stained with blood in several places, especially about the right-hand pocket; a pair of gaiters made of drab cloth, with blood upon the buttons of them; a piece of new shirting, which was very bloody, and a glazed hat. In the same trunk were found several articles of silver plate, which proved to have been Mr. Bird's property. It was remarkable that this trunk was only corded, not locked, and that Hussey never called to inquire after it from the time it had been deposited with Mrs. Goddard.

From Deptford the officers proceeded to Mrs. Godwin's house, at Peckham, where, in addition to the watches, they found in the box five one-pound Bank of England notes, and two two-pound notes, all marked with Mr. Bird's initials. In the same box they found Hussey's discharge from the East India Company's Service, which contained a description of his person.

In consequence of these discoveries, no doubt remained but that Hussey had been the principal, if not the only, perpetrator of the foul murders. Diligent inquiry was accordingly made after him; but it was found that he had absconded. More than twenty of the most active metropolitan officers were despatched in every direction to look for him, and large rewards were offered for his apprehension; but it was not until after a considerable time had elapsed that he was taken into custody at Deddington, in Oxfordshire, by a publican named Poulton, who had read the advertisement, and on seeing him recognised him as resembling the person described as the murderer. It appears that Poulton had read the advertisement, and his attention was arrested by his seeing the prisoner walk past his house one evening at about nine o'clock, and suspecting that he was the murderer, he called a neighbour, and they followed him. Having walked after him for some distance, they became assured of the truth of their suspicions, and Poulton went up to him, and said he must go with him, as he had strong suspicion he was the man advertised. The prisoner,

Digitized by Google

after some hesitation, confessed his name was Charles Hussey; and on his being searched, a watch and a pocket-book, with a ring in it, part of the property stolen from the late Mr. Bird's house, were found. The prisoner denied any knowledge of the murders or robbery, but admitted that the articles found belonged to him.

The magistrate told the prisoner it would be necessary for him to account for being possessed of the things which had been stolen; and the prisoner said, that between four and five o'clock on the Sunday afternoon after the murders, he saw a man get over a wall into Mr. Smith's grounds, at Greenwich, and run. He followed him, and saw him put down a bundle against a large tree, and leave it there, and then run again. Curiosity induced him to go to the spot, and on his opening the bundle he saw two watches, and a silver soup-ladle. He, however, left the bundle and walked away, but on the following Saturday, happening to go past the same spot, he found the bundle in the same position, and then on examining its contents, he found them to consist of three watches, a silver soup-ladle, a wine-strainer, four sheets, six or eight shirts, six rings, some old coins, two two-pound bank-notes, and three one-pound notes. He took them away with him, and he subsequently absconded because he was ashamed of coming forward, having such things in his possession. He declined saying any thing in reference to the specific charges made against him, and he was committed to Maidstone jail to await his trial.

On the 31st of July 1818, Hussey was indicted at the Maidstone assizes for the wilful murder of Mr. Bird and his housekeeper. The dreadful deed was fully brought home by evidence the most satisfactory and conclusive. It was proved that the hammer with which the murders were committed had been taken from a cooper several days before, and that it was afterwards found in a pond, into which the assassin had thrown it. With this cooper Hussey had been intimate, and was almost daily at the house, where he kept his trunk until subsequent to the murders, when he had it removed to his cousin's, Mrs. Goddard, at Deptford. It was also proved that Hussey belonged to a "Society of Odd Fellows," and that he did not join them on the night of the murders until near ten o'clock. The proprietor of the house where the Odd Fellows met, being asked whether Hussey appeared any way agitated when he saw him, replied, "He might, but I did not observe him, for he is the last man in the world, from his general character and habits, whom I should suspect of either dishonesty or murder."

It was further proved that the prisoner had been originally a sailor in the East India Company's service, from which he was discharged, and that he then became a servant, and lived in that capacity with a Mr. Stevens at Greenwich, not far from the house of Mr. Bird. Previous, however, to the murders, he had been discharged, and he was, at that time, out of place. The remainder of the evidence only confirmed the facts we have already narrated, and the case for the prosecution having closed, Hussey was called on for his defence.

He declared his innocence, and gave a confused account of the manner in which he was employed on the night of the murder; but his criminality was too plain to be doubted, and he was found guilty.

He suffered August 3, 1818, on Pennenden Heath, near Maidstone, the usual place of execution for the county of Kent. He made no confession

Digitized by Google

except that when asked by the Rev. Mr. Argles if he knew who did the deed, he replied with eagerness, "I do, I do."

In person, the unfortunate prisoner was tall, his hands and feet remarkably large, and his countenance pallid, mild, and humane. His appearance was apparently that of a person above his rank in life.

SAMUEL DICK.

CONVICTED OF ABDUCTION AND RAPE.

THIS was a case of revolting indelicacy and deep-laid villany. We shall give it in the words of the counsel retained to prosecute the accused at the Carrickfergus assizes, March the 21st, 1818.

"The prisoner, Samuel Dick (said he) stands indicted for the forcible abduction and subsequent defilement of Elizabeth Crockatt, the prosecutrix. She is a young woman of respectable family in Derry; and upon the death of her father she became possessed of about two thousand six hundred pounds: this property, her youth, being scarcely seventeen, and her personal attractions, have been the causes of two different atrocious outrages, for the purpose of obtaining possession of them. In August last, upon the Sabbath day, while returning from the meeting, she was forcibly carried off, and taken to Ballymena, where she was rescued by her brother and her uncle. On their return home, her mother, alarmed for her safety, sent her for some time to reside within a few miles of Stewartstown, with a Mr. Matthew Fairservice. On the night of the 3rd of November, Mr. Fairservice's family were invited to spend the evening at Mr. Henry's, where the prosecutrix met Miss Jane Dick, sister to the prisoner, and who is related to the prosecutrix. The prosecutrix, with Mr Robert Fairservice, his sister, and Miss Dick, then went from Mr. Henry's upon the car to a ball at a Mr. Park's, where she danced the greater part of the night. While at Mr. Park's, Miss Dick invited prosecutrix to Stewartstown, which she declined. When they had got on the car, Robert Fairservice drove rapidly towards Stewartstown, without paying any attention to the remonstrances of the prosecutrix; when in Stewartstown they drove to the prisoner's house, where she saw the prisoner: after breakfast Miss Dick asked Miss Fairservice and the prosecutrix to go to Dungannon with her, as she wished to make some purchases. She was prevailed upon, and did go into Dungannon; remained shopping there until the evening; returned to Stewartstown, dined in the prisoner's house; and about nine or ten o'clock the prosecutrix was asked by Miss Dick to go out to the next door to assist her in purchasing some thread; and the distance being so trifling, she did not think even of putting on her bonnet. When out of the hall-door, she was forcibly seized by some person, and put into a chaise in which was the prisoner, who caught her by the arm; when in the carriage she found her cloak and bonnet had been previously placed there, which was sufficient proof of the pre-concerted plan. The prosecutrix, the prisoner, with Miss Dick, and the other person, were driven to Lurgan, a distance of twenty miles, before day-light in the morning, the prisoner Dick guarding the prosecutrix with a pistol! After some time she was again put into the chaise, and driven to the house of a person named Swayne,

Digitized by Google

where, after having wept and fasted the whole day, she was prevailed upon to go to bed with Miss Dick. From the fatigue she had suffered the two preceding nights, joined to the anxiety of mind she had undergone, she fell asleep; and found on awaking, that in place of Miss Dick being her bed-fellow, the prisoner at the bar was. The next morning the prisoner attempted to soothe the prosecutrix by promises of marriage, and went to Dr. Cupples, of Lisburn, to procure a licence, leaving his sister and the other person to watch over her till his return; in spite of them, she contrived to escape to the house of a Mr. English, where she was protected until delivered into the hands of her uncle."

This statement being supported by the evidence, the jury without hesitation found the prisoner Guilty—and he was sentenced to death.

ROBERT JOHNSTON.

EXECUTED FOR ROBBERY.

THE extraordinary circumstances attending the execution of this unfortunate man give his case a melancholy interest. Our readers, doubtless, recollect the singular conduct of the Edinburgh mob, at the execution of Porteous. A scene, if possible more disgraceful, occurred on the present occasion.

Robert Johnston was a native of Edinburgh, where he spent the first part of his life without reproach. His parents were poor, and Robert was employed as a carter. In his twenty-fourth year he got into bad company, and was engaged in the robbery of a chandler in Edinburgh, and being apprehended he was brought to trial with two others, and found guilty. His companions had their sentence commuted to transportation for life, but on Johnston the law was ordered to be put in force.

The execution was directed to take place on the 30th December 1818, and on that day, the judgment of the law was carried out, but under circumstances of a most extraordinary nature. A platform was erected in the customary manner with a drop in the Lawnmarket, and an immense crowd having assembled, the unfortunate culprit was brought from the lock-up house at about twenty minutes before three o'clock, attended by two of the magistrates, the Reverend Mr. Tait, and the usual other functionaries. The customary devotions took place, and the unhappy wretch, with an air of the most undaunted boldness, gave the necessary signal. Nearly a minute elapsed, however, before the drop could be forced down, and then it was found that the toes of the wretched culprit were still touching the surface, so that he remained half suspended, and struggling in the most frightful manner. It is impossible to find words to express the horror which pervaded the crowd, while one or two persons were at work with axes beneath the scaffold, in the vain attempt to hew down a part of it beneath the feet of the criminal. The cries of horror from the populace continued to increase with indescribable vehemence; and it is hard to say how long this horrible scene might have lasted, had not a person near the scaffold, who was struck by a policeman, while pressing onward, cried out 'Murder!' Those who were not aware of the real cause of the cry imagined that it came from the convict, and a shower of stones, gathered

Digitized by Google

from the loose pavement of the street, compelled the magistrates and police immediately to retire. A cry of "Cut him down—he is alive," then instantly burst from the crowd, and a person of genteel exterior jumped upon the scaffold, cut the rope, and the culprit fell down in a reclining position, after having hung during about five minutes only. A number of the mob now gained the scaffold, and taking the ropes from the neck and arms of the prisoner, they removed the cap from his head and loosening his clothes, carried him, still alive, towards High Street; while another party tore the coffin prepared to receive his body into fragments, and endeavoured unsuccessfully to demolish the fatal gallows. Many of the police were beaten in this riot; and the executioner, who was for some time in the hands of the mob, was severely injured. In the meantime the police-officers rallied in augmented force, and re-took the criminal from the mob, at the head of the Advocates' Close. The unhappy man, half alive, stripped of part of his clothes, and with his shirt turned up, so that the whole of his naked back and the upper part of his body were exhibited, lay extended on the ground in the middle of the street, in front of the police-office. At last, after a considerable interval, some of the police-officers laying hold of him, dragged him trailing along the ground, for about twenty paces, into the office, where he remained upwards of half an hour, while he was attended by a surgeon, bled in both arms, and in the temporal vein, by which suspended animation was restored; but the unfortunate man did not utter a word. In the meantime a military force arrived from the Castle under the direction of a magistrate, and the soldiers were drawn up in the street surrounding the police-office and place of execution.

Johnston was then carried again to the scaffold. His clothes were thrown about him in such a way, that he seemed half naked, and while a number of men were about him, holding him up on the table, and fastening the rope again about his neck, his clothes fell down in a manner shocking to decency. While they were adjusting his clothes, the unhappy man was left vibrating, upheld partly by the rope about his neck, and partly by his feet on the table. At last the table was removed from beneath him, when, to the indescribable horror of every spectator, he was seen suspended, with his face uncovered, and one of his hands broke loose from the cords with which it should have been tied, and with his fingers convulsively twisting in the noose. Dreadful cries were now heard from every quarter. A chair was brought, and the executioner having mounted upon it, disengaged by force the hand of the dying man from the rope. He then descended, leaving the man's face still uncovered, and exhibiting a dreadful spectacle. At length a napkin was thrown over his face amidst shouts of "Murder," and "Shame, shame," from the crowd. The unhappy wretch was observed to struggle very much, but his sufferings were at an end in a few minutes. The soldiers remained on the spot till the body was cut down; and, as it was then near dusk, the crowd gradually dispersed.

The following is a remarkable instance of a similar scene which occurred in France in the year 1828.

Peter Hebard, who had been confined in the prison at Abbey, in France, for five months, expecting the final order for his punishment, having been convicted of a murder, committed under aggravated circumstances, and who had been allowed to indulge in hopes of a reprieve, was told to prepare for death in the afternoon. For nearly five years an execution had not

Digitized by Google

taken place at Abbey, and the consequence was that an immense crowd assembled, which could with difficulty be kept in proper order by a large body of gendarmes. The prisoner was bound to the board laid across the scaffold; and upon the usual signal, his head was placed between the *lunette* in the guillotine. The knife fell with a trembling motion, but did not touch the criminal. A cry of horror arose from the crowd. The knife was again lifted—it fell a second time, but without reaching the criminal's neck. A volley of stones was discharged at the executioner and his two assistants. For the third time the instrument was let down, bnt it only inflicted a slight wound. The executioners then quitted the scaffold for fear of the stones, and the criminal's head continued for some minutes bound to the block. The chief executioner again mounted the scaffold, and the knife fell twice more without success. The excitement in the crowd became indescribable. The executioner fled, the criminal lifted his head up, and was greeted with cries of "Bravo!" but he could not get away from the cords. One of the executioners then got on the scaffold, told the unhappy man to turn his head, and at the same time seized him by the neck, and gave him several wounds with a shoemaker's knife. Hebard's head, nearly half off, hung on his shoulder; the spectacle was so horrible, and the spectators so enraged at the executioner, that he was obliged to make his escape amongst the gendarmes. Hebard, who was found standing up to the block, still breathed, and remained for two hours in that situation, during which time he frequently opened his mouth. It appears that the scaffold had been intentionally damaged by a person who acted as assistant to the executioner on account of a grudge. A question might arise, whether the executioner's assistant had a right to stab the criminal, and so alter his punishment, which was to die by the guillotine.

HENRY HUNT.

IMPRISONED FOR A MISDEMEANOR.

THE name of Mr. Hunt is too well known to require it to be introduced to our readers with any long explanation of the particular character which he filled up to the time at which he underwent an imprisonment for a misdemeanor against the government. He was probably the most popular demagogue of the day, with the exception of Wilkes; and, like his prototype, he appears to have been totally undeserving the confidence or the applause of the people. Like Wilkes, too, he was the occasion of several deluded people losing their lives, while he himself escaped with a comparatively trifling punishment.

Hunt was born at Widdington, in the parish of Upavon, near Salisbury Plain, on the 6th November 1773. His father was a respectable farmer; and our hero, when young, being designed for the church, obtained the rudiments of a classical education. At sixteen years of age, however, he altered his mind and joined his father, and having attained great proficiency in his new business, he was treated with great confidence by his father, from whom, at this early age, he imbibed principles diametrically opposed to those which he afterwards espoused. At the time of the threatened invasion in the year 1795, Hunt joined the Evelyn corps of

Digitized by Google

militia; but his commanders having refused to permit their men to quit the county in which they were enrolled, our hero, indignant at the supposed cowardice of his fellows, after having delivered himself of his maiden oration, urging them to volunteer in a new corps, threw his sword at his commander's feet, and immediately afterwards joined a corps established under the patronage of Lord Bruce. It appears, however, that although his lordship's loyalty was greater than that of the officers of the Evelyn militia, his attachment to his manorial rights was so strong, as to occasion a serious quarrel with his followers; for some of them having exercised their powers of sharp-shooting against his lordship's pheasants, they immediately obtained their dismissal from his troop. Hunt was enraged at this supposed affront, and riding to the parade, he publicly challenged his late noble commander to fight a duel. Lord Bruce had not expected to meet with so violent a reception, and fairly fled; but in a few days afterwards he obtained a criminal information against his challenger, in the Court of King's Bench, who was in consequence fined 100*l.*, and sentenced to six weeks' imprisonment. Old Hunt by this time had discharged the debt of nature, and the penalty was soon paid; but the six weeks during which our hero was detained in the Queen's Bench prison served to banish all those feelings of loyalty with which he had before been inspired; and having associated himself with some persons, who were professed democrats, he soon joined them in their political creed. At about this time he was married to the daughter of a respectable inn-keeper, for whom he is said to have formed a most romantic attachment. The heat of his passion appears to have worn off very soon; and ere five years had elapsed he seduced another man's wife, who eloped with him from Brighton. The conduct of Hunt in reference to this person appears to be of a most extraordinary character; for in his Memoirs, he speaks of the unalterable attachment which he bore her, and with the most fulsome declarations of his love for her, dwells on the happiness which he had experienced in her society up to the time of the publication of his work, when she was still living with him (1824). His indignant and injured wife, it appears, received an annuity of 300*l.* from him, with which she continued to maintain her two daughters, while her son remained under the care of his father, and his mistress.

Mr. Hunt, at this time, appears to have been living in a style of considerable pretension. The high prices of farm produce enabled him to maintain a large establishment, and he followed the sports of the field with great avidity, while he resided in Bath during the months which constituted the "season" of that the ngay city.

We do not profess to give any lengthened history of his remarkable career, because to do so would be to exceed the limits and intention of a work of the character of the present; but the following, we believe, will be found to be a faithful, though necessarily short, narrative of the chief circumstances of his life.

While in Bath Mr. Hunt formed an acquaintance with the son of a brewer, who deluded him into a partnership; and it appears that he absolutely lost eight thousand pounds in a brewing concern at Bristol, which was the first occasion of his becoming acquainted with the people of that city.

In 1804 he first attended a public meeting, which was held at Devizes,

Digitized by Google

respecting the conduct of Lord Melville; and, in the next year, he first affixed his name to a public address, calling on the inhabitants of Wiltshire to oppose the corn laws. Having once embarked in politics, he was ever restless, and on every possible occasion he forced himself upon public notice with officious zeal; and in 1807 he came forward at Bristol, to propose Sir John Jarvis, as a fit representative for that city.

His noisy interference on all public questions at this time, drew upon him a host of enemies, particularly among his own neighbours, who forbade him to sport upon their grounds; and, as no gentleman would hunt with him, he was obliged to dispose of his stud of horses. On one occasion he committed a trifling trespass, on which an action was brought against him, when he effectually pleaded his own cause, and, encouraged by success, he determined, from that day forward, to dispense with the assistance of counsel in any legal proceedings in which he might be engaged.

In 1809 he held the first meeting for reform, for by this time he had become a disciple of Cobbett. In 1811 he took a large farm in Sussex, called Rowfant, where he continued to reside for one year, at the expiration of which he sold it, and went to live at Middleton cottage, which is situated on the western road, three miles from Andover.

In 1812 he stood twice candidate for Bristol, but was defeated by a large majority on the opposition of the venerated Sir Samuel Romilly. This year he also became a liveryman of London, and from that time Guildhall was often favoured with his presence. He now attended almost every public meeting throughout the country, and gradually became the idol of the mob, to whose comprehension his speeches were admirably adapted. His patriotism, however, proved injurious to his private affairs, for we find, that in 1815, he had overdrawn his account with his bankers, who refused to advance him any more money.

In 1816 he attended the notorious meeting in Spa-fields, where he acted as chairman; but it is only justice to say, that he had held no previous communication with Thistlewood and his colleagues, except for the purpose of striking out some portion of their resolutions, which he considered as offensive. In the year 1818, he appears to have become so flattered by the success which his previous exertions as a popular speaker had gained for him, that he resolved to stand for Westminster, in opposition to Sir Francis Burdett; but whatever may have been his popularity among his own peculiar party, the experiment was unsuccessful, and at the close of the poll it was found that his friends had given only forty-one votes for him; and he had also to regret his rashness in thus publicly thrusting himself forward, as, while upon the hustings, he was soundly horsewhipped by a gentleman, upon whom he had previously inflicted a cowardly and an unmerited injury.

In the year 1819 the principles of radicalism appear to have reached a point of almost ungovernable fury, and Hunt secured to himself the character of the best and firmest champion of the party, by his conduct at a public meeting, which took place at Smithfield at this period, and at which, in truth, it appears that he acted in a manner without reproach.

An event, however, soon afterwards occurred which procured for him still greater notoriety. The Manchester reformers, who had posted up notices of a meeting to be holden on the 9th of August in this year, for the purpose of proceeding to the election of a representative, as at Birmingham,

Digitized by Google

where the people had, some time before, elected Sir Charles Wolseley as their legislatorial attorney or representative, was informed by the magistrates that as the object of the proposed assemblage was unquestionably illegal, it would not be permitted to take place. In consequence of this expressed determination on the part of the authorities, the meeting was abandoned, but fresh notices were issued for a new assemblage on the 16th of the same month, with the avowed legal object of petitioning for a reform in parliament. An open space in the town, called St. Peter's Field, was selected as the place of meeting, and never upon any former occasion of a similar nature was so great a number of persons known to have met together. For some hours before the proceedings were appointed to commence, large bodies of people continued marching into Manchester from the neighbouring villages and towns, formed in ranks five deep, and many of them armed with stout staves, while the whole body stepped together as if trained for military purposes. Each party bore its own banners, and among others two clubs of female reformers made their appearance, bearing flags of white silk. By mid-day it was calculated that 60,000 persons had assembled. The magistrates, it appears, were anxious that the peace should be preserved, and a number of special constables were sworn in, who formed themselves in a line, from the house in which the justices were sitting, to the stage or waggon fixed as a platform for the speakers. Soon after the business of the meeting had commenced, a body of yeomanry cavalry entered the ground, and advanced with drawn swords towards the stage, when their commanding-officer called to Mr. Hunt, who was addressing the meeting, and informed him that he was his prisoner. Mr. Hunt endeavoured to procure tranquillity among the people, and offered to surrender himself to any civil officer who should present himself, and should exhibit his warrant; and a constable immediately advanced and took him into custody, with some other persons who were similarly engaged. Some uneasiness being now exhibited among the mob, the yeomanry cried out to seize their flags. The men stationed near the waggon, in consequence began to strike down the banners, which were attached to the platform, and a similar course being pursued with respect to those which were raised in other parts of the field, a scene of the most indescribable confusion ensued. The immense number of persons on the field, rendered it almost impossible for the military to move without trampling down some of them under foot; and some resistance being offered, many persons, including females, were cut down with sabres, and while some were killed, the number of wounded amounted to between three and four hundred. In a short time, however, the ground was cleared of its original occupants, and as they fled in all directions, military patroles were immediately placed in the streets, to preserve tranquillity.

It would be almost impossible to give any lengthened or minute description of this riot, or "massacre," as it has always been called by the radical opponents of government, without in some degree entering into the very strong feeling of party prejudice, which has been universally excited upon the subject. The real circumstances of the case may be said to be unsettled even to this day; and while the magistrates and their friends declare that, the Riot Act having been read, the subsequent proceedings on the part of the soldiery were both justified and necessary, the friends of the people as invariably deny the allegation of the reading of the Riot Act, and there-

Digitized by Google

fore contend, that the introduction of a military force was harsh and unconstitutional. The whole transaction does not appear to have occupied more than ten minutes, in the course of which time the field seems to have been cleared of its recent occupiers, and filled with different corps of infantry and cavalry. Hunt and his colleagues were, after a short examination before the magistrates, conducted to solitary cells, on a charge of high-treason, and on the following day notices were issued by the magistrates, by which the practice of military training, alleged to have been carried on in secret, by large bodies of men, for treasonable purposes, was declared to be illegal. Public thanks were, by the same authority, returned to the officers and men of the respective corps engaged in the attack; and, on the arrival in London of a despatch from the local authorities, a cabinet council was held, the result of which was, the return of official letters of thanks to the magistrates, for their prompt, decisive, and efficient measures for the preservation of the public tranquillity; and to all the military engaged, for the support and assistance afforded by them to the civil power.

The circumstances of the Manchester case eventually turned out to be such, that government, by the advice of the law officers of the crown, found it expedient to abandon the threatened prosecution of Mr. Hunt and his colleagues for high-treason. Those persons were accordingly informed that they would be proceeded against for a conspiracy only, which might be bailed; but Mr. Hunt refused to give bail, even, as he said, to the amount of a single farthing: but some of his friends liberated him. On his return from Lancaster, where he had been confined, to Manchester, Hunt was drawn about two miles by women, and ten miles by men. In fact, his return was one long triumphal procession, waited upon by thousands, on horse, on foot, and in carriages, who hailed him with continued shouts of applause.

The sensation produced throughout the country by this fatal business was intense. Hunt's conduct was universally applauded, and he received the thanks of nearly every county in England, and those even who opposed him on principle now forgot their enmity, and hailed him as the uncompromising champion of liberty. His entry into London was public, and some of the first characters of the day honoured him with their presence, whilst hundreds of thousands welcomed him with deafening applause.

The agitation had hardly subsided when true bills were found against Hunt and his companions, and their trials came on at York, and continued, without intermission, for fourteen days, during which time Hunt displayed powers of intellect, and acuteness of perception, of which even his friends did not suppose him to be possessed. He was found guilty, however, and ordered to be brought up to the Court of King's Bench for sentence, but he afterwards moved, in person, for a new trial. Although he argued with all the tact and ability of the most experienced lawyer, his motion was refused, and he was sentenced to two years and a half imprisonment in Ilchester jail.

He had not been long incarcerated when he brought to light a system of the most infamous cruelty which had been practised on the unfortunate inmates of that prison by the barbarous jailor. Mr. Hunt himself, being treated with great cruelty, addressed a letter to Mr. Justice Bayley, detailing cases of atrocious cruelty; and the question being at length brought

Digitized by Google

before the House of Commons, an inquiry followed. Hunt substantiated all his charges, and the inhuman jailor was dismissed and punished, while the country rang with the praises of his accuser.

The period of his imprisonment having expired, he again made a public entry into London; but he found that the times had changed, even during that short time. The public prosperity had banished discontent, and with it that wild enthusiasm, which had before been exhibited in his favour, and he was greeted with none of those demonstrations of delight which had been before exhibited. He made several attempts to arouse the lethargy of his former admirers, but in vain; and he at length betook himself to repair his broken fortunes by the manufacture of English coffee, with roasted corn, and subsequently in 1824 he added that of blacking; and so successful was he in this enterprise, that "Hunt's matchless" became almost as celebrated as the polish of Messrs. Day and Martin.

Mr. Hunt was subsequently returned as member for Preston in Lancashire, and he died while yet representing that place in parliament.

ARTHUR THISTLEWOOD, RICHARD TIDD, JAMES INGS, WILLIAM DAVIDSON, AND JOHN THOMAS BRUNT.

EXECUTED FOR HIGH TREASON.

Our readers will be somewhat prepared for the case of these notorious criminals by the perusal of the proceedings of those persons, whose discontent had already brought them within the lash of the law; as well as by the repetition of the name of Thistlewood, whose acquaintance and connection with Dr. Watson and the other Radical leaders of the day had rendered him a person whom the officers of justice deemed it wise to keep under their *surveillance*. The plot to which he was a party in the year 1820, and his engagement in which cost him his life, had for its object neither more nor less than the assassination of the whole of his majesty's ministers, and the consequent overthrow of the government.

It was not until the 24th February 1820, that the public were made aware of the existence of the infernal machinations of this band of desperadoes, and then only did they learn it through the medium of the public press, which at once announced its existence and its frustration. Ere the morning had passed, however, a proclamation was plentifully distributed throughout the leading thoroughfares of the metropolis, offering a reward of 1000*l.* for the apprehension of the notorious Arthur Thistlewood, on a charge of high treason and murder; and denouncing the heaviest penalties against all who should harbour or conceal him from justice.

It would appear that it had been long known to the members of the government, that a plan was in meditation by which they would all be murdered, and that Thistlewood was one of the originators of and prime movers in the horrid design; but in accordance with the system which then existed, of waiting until the crime should be all but matured, in order to secure a conviction of the offenders, they determined to make no effort to crush the scheme until a period should have arrived, when their own safety rendered it necessary. The conspirators meanwhile having

Digitized by Google

weighed various plans and projects for the accomplishment of their object, eventually determined to select the evening of Wednesday the 23rd February as that on which they would carry out their plot, and it was deemed advisable that this night should be fixed upon, because it became known to them by an announcement in the newspapers, that a cabinet dinner would then be held at the house of Lord Harrowby in Grosvenor-square. Contemptible as the means possessed by the conspirators were to carry their design fully into execution, it is certain, from the confession of one of them, that the first part of their project was planned with so much circumstantial exactness, that the assassination of all the ministers would have been secured. It would appear that it was arranged, that one of the party should proceed to Lord Harrowby's house with a parcel addressed to his lordship, and that when the door opened, his companions should rush in, bind, or, in case of resistance, kill the servants, and occupy all the avenues of the house, while a select band proceeded to the chamber where the ministers were at dinner, and massacred the whole of them indiscriminately. To increase the confusion hand-grenades were prepared, which it was intended should be thrown lighted into the several rooms; and one of the party engaged to bring away the heads of lords Castlereagh and Sidmouth in a bag which he had provided for that purpose.

Thus far the conspirators might probably have carried their plans into effect; but of the scheme for a general revolution, which these men, whose number never exceeded thirty, appear to have considered themselves capable of accomplishing, we cannot seriously speak. Among other arrangements the Mansion House, selected we suppose for its proximity to the Bank, was fixed upon for the "palace of the provisional government."

The place chosen for the final organization of their proceedings, and for collecting their force previous to immediate action, was a half-dilapidated tenement in an obscure street called Cato-street, near the Edgware-road. The premises were composed of a stable, with a loft above, and had been for some time unoccupied. The people in the neighbourhood were ignorant that the stable was let, till the day fixed upon for the perpetration of their atrocious purpose, when several persons, some of whom carried sacks and other packages, were seen to go in and out, and carefully to lock the door after them.

The information upon which ministers proceeded, in frustrating the schemes of the conspirators, was derived from a man named Edwards, who pretended to enter into their views, for the purpose of betraying them.

Thus accurately informed of the intentions of the gang, measures were taken for their apprehension. A strong body of constables and police-officers, supported by a detachment of the guards, was ordered to proceed to Cato-street, under the direction of Mr. (afterwards Sir Richard) Birnie, the magistrate. On arriving at the spot they found that the conspirators had taken the precaution to place a sentinel below, and that the only approach to the loft was by passing up a ladder, and through a trap-door so narrow as not to admit more than one at a time. Ruthven led the way, followed by Ellis, Smithers, and others of the Bow-street patrole, and on the door being opened they discovered the whole gang, in number between twenty and thirty, hastily arming themselves. There was a carpenter's bench in the room, on which lay a number of cutlasses, bayonets, pistols, sword-belts, and a considerable quantity of ammunition. Ruthven, upon

Digitized by Google

bursting into the loft, announced himself as a peace-officer, and called upon them to lay down their arms. Thistlewood stood near the door with a drawn sword, and Smithers advanced upon him, when the former made a lunge, and the unfortunate officer received the blade in his breast, and almost immediately expired.

About this time the guards, who had been delayed in consequence of their having entered the street at the wrong end, arrived under the command of Captain (Lord Adolphus) Fitzclarence, and mounted the ladder; but as the conspirators had extinguished the lights, fourteen or fifteen of them succeeded in making their escape, and Thistlewood, the chief of the gang, was among the number. A desperate conflict now took place, and at length nine persons were made prisoners; namely Ings, Wilson, Bradburn, Gilchrist, Cooper, Tidd, Monument, Shaw, and Davidson. The whole of them were immediately conveyed to Bow-street, together with a large quantity of arms, consisting of pistols, guns, swords and pikes, and a large sack full of hand-grenades, besides other ammunition, which had been found in the loft. The same means, by which the conspiracy had been discovered, were now adopted in order to procure the discovery of the hiding-place of Thistlewood, and it was found that instead of his returning to his own lodgings in Stanhope-street, Clare Market, on the apprehension of his fellows, he had gone to an obscure house, No. 8 White-street, Moorfields. On the morning of the 24th February, at nine o'clock, Lavender and others of the Bow-street patrol were despatched to secure his apprehension; and after planting a guard round the house, so as to prevent the possibility of his escaping, they entered a room on the ground-floor, where they found the object of their inquiry in bed, with his stockings and breeches on. In his pockets were found some ball-cartridges and flints, a black girdle or belt, which he was seen to wear at Cato-street, and a military sash.

He was first conveyed to Bow-street, and there shortly examined by Sir R. Birnie, by whom he was subsequently conducted to Whitehall, where he was introduced to the presence of the Privy Council. He was still handcuffed, but he mounted the stairs leading to the council-chamber with great alacrity. On his being informed of the nature of the charges made against him, by the lord chancellor, he declined saying anything and was remanded to prison. In the course of the week several other persons were apprehended as being accessories to the plot; and on the 3rd March, Thistlewood, Monument, Brunt, Ings, Wilson, Harrison, Tidd, and Davidson, were committed to the Tower as state prisoners, the rest of the persons charged being again sent to Coldbath-fields prison, where they had been previously confined.

The case of the parties to this most diabolical conspiracy immediately received the attention of the law officers of the crown; and on the 15th April 1820, a special commission having issued, the prisoners were arraigned at the bar of the Old Bailey on the charge of high treason, and also of murder, in having caused the death of the unfortunate Smithers. There were eleven prisoners, Arthur Thistlewood, William Davidson (a man of colour), James Ings, John Thomas Brunt, Richard Tidd, James Wilson, John Harrison, Richard Bradburn, John Shaw Strange, James Gilchrist, and Charles Cooper, and they all pleaded Not guilty to the charges preferred against them.

Digitized by Google

Counsel having been assigned to the prisoners, and the necessary forms having been gone through, Thistlewood received an intimation that his case would be taken on Monday morning the 17th of the same month, and the prisoners were remanded to that day.

At the appointed time, accordingly, Arthur Thistlewood was placed at the bar. He looked pale, but evinced his usual firmness. The jury having been sworn, and the indictment read, the attorney-general stated the case at great length, and twenty-five witnesses were examined in support of the prosecution, among whom were several accomplices, whose testimony was satisfactorily corroborated. Some of those who appeared to give evidence had been apprehended on the fatal night in Cato-street, but were now admitted witnesses for the crown. After a trial which occupied the court four days, Thistlewood was found Guilty of high treason. He heard the verdict with his wonted composure, seeming to have anticipated it; for when it was pronounced he appeared quite indifferent to what so fatally concerned him.

The evidence against Tidd, Ings, Davidson, and Brunt, whose trials came on next in succession, differed little from that upon which Thistlewood was convicted, and they were also found Guilty. Their trials being separate, occupied the court six days. On the evening of the tenth day the six remaining prisoners, at the suggestion of their counsel, pleaded Guilty, having been permitted to withdraw their former plea, by which they eventually escaped capital punishment.

On Friday, April the 28th, the eleven prisoners were brought up to receive sentence. When the usual question was put to Thistlewood by the clerk of arraigns, why he should not receive sentence to die, he pulled a paper from his pocket, and read as follows:—

"I am asked, my lord, what I have to say that judgment of death should not be passed upon me according to law. This to me is mockery —for were the reasons I could offer incontrovertible, and were they enforced even by the eloquence of a Cicero, still would the vengeance of my Lords Castlereagh and Sidmouth be satiated only in the purple stream which circulates through a heart more enthusiastically vibrating to every impulse of patriotism and honour, than that of any of those privileged traitors to their country, who lord it over the lives and property of the sovereign people with barefaced impunity. The reasons which I have, however, I will now state—not that I entertain the slightest hope from your sense of justice or from your pity.—The former is swallowed up in your ambition, or rather by the servility you descend to, to obtain the object of that ambition—the latter I despise; justice I demand; if I am denied it, your pity is no equivalent. In the first place, I protest against the proceedings upon my trial, which I conceive to be grossly partial, and contrary to the very spirit of justice; but, alas! the judges, who have heretofore been considered the counsel of the accused, are now, without exception, in all cases between the crown and the people, the most implacable enemies of the latter.—In every instance, the judges charge the jury to find the subject guilty; nay, in one instance, the jury received a reprimand, and that not in the genteelest terms, for not strictly obeying the imperious mandate from the bench.

"The court decided upon my trial to commit murder rather than depart in the slightest degree from its usual forms; nay, it is with me a

Digitized by Google

question if the form is usual, which precluded me from examining witnesses to prove the infamy of Adams, of Hieden, and of Dwyer. Ere the solicitor-general replied to the address of my counsel, I applied to the court to hear my witnesses: the court inhumanly refused, and I am in consequence to be consigned to the scaffold. Numerous have been the instances in which this rule of court has been infringed; but to have infringed it in my case would have been to incur the displeasure of the crown, and to forfeit every aspiring hope of promotion. A few hours hence I shall be no more, but the nightly breeze which shall whistle over the silent grave that shall protect me from its keenness, will bear to your restless pillow the memory of one, who lived but for his country, and died when liberty and justice had been driven from its confines, by a set of villains, whose thirst for blood is only to be equalled by their activity in plunder. For life, as it respects myself, I care not—but while yet I may, I would rescue my memory from the calumny, which I doubt not will be industriously heaped upon it, when it will be no longer in my power to protect it. I would explain the motives which induced me to conspire against the ministers of his majesty, and I would contrast them with those which those very ministers have acted upon in leading me to my ruin. To do this, it will be necessary to take a short review of my life for a few months prior to my arrest for the offence for which I am to be executed, without a trial, or at least without an impartial one, by a jury of my peers. 'Tis true the form, the etiquette of a trial, has been gone through; but I challenge any of the judges on the bench to tell me, to tell my country, that justice was not denied me in the very place where justice only should be administered. I challenge them to say that I was fairly tried; I challenge them to say if I am not murdered, according to the etiquette of a court, falsely called of justice? I had witnesses in court to prove that Dwyer was a villain beyond all example of atrocity. I had witnesses in court to prove that Adams was a notorious swindler, and that Hieden was no better; these were the three witnesses—indeed almost the only ones against me—but the form and rules of court must not be infringed upon to save an unfortunate individual from the scaffold. I called those witnesses at the close of Mr. Adolphus' address to the jury, and before the solicitor-general commenced his reply, but the court decided that they could not be heard. Some good men have thought, and I have thought so too, that before the jury retired all evidence was in time for either the prosecutor or the accused, and more particularly for the latter; nay, even before the verdict was given, that evidence could not be considered too late. Alas! such people drew their conclusion from principles of justice only; they never canvassed the rules of court, which have finally sealed my unhappy doom.

"Many people, who are acquainted with the barefaced manner in which I was plundered by my Lord Sidmouth, will, perhaps, imagine that personal motives instigated me to the deed, but I disclaim them. My every principle was for the prosperity of my country; my every feeling, the height of my ambition, was the securing the welfare of my starving brother Englishmen. I keenly felt for their miseries; but when their miseries were laughed at, and when because they dared to express those miseries, they were cut down by hundreds, inhumanly massacred and trampled upon, when infant babes were sabred in their mothers' arms, nay, when the breast from whence they drew the tide of life was severed

Digitized by Google

from the body which supplied that life, my feelings became too intense, too excessive for endurance, and I resolved on vengeance—I resolved that the lives of the instigators should be the requiem to the souls of the murdered innocents.

"In this mood I met with George Edwards, and if any doubt should remain upon the minds of the public whether the deed I meditated was virtuous or contrary, the tale I will now relate will convince them, that in attempting to exercise a power which the law had ceased to have, I was only wreaking national vengeance on a set of wretches unworthy of the name or character of men.

"This Edwards, poor and penniless, lived near Pickett-street in the Strand, some time ago, without a bed to lie upon, or a chair to sit in. Straw was his resting-place; his only covering a blanket. Owing to his bad character, aud his swindling conduct, he was driven from thence by his landlord. It is not my intention to trace him through his immorality: suffice it to say, that he was in every sense of the word a villain of the deepest atrocity. His landlord refused to give him a character Some short time after this, he called upon his landlord again; but mark the change in his appearance; dressed like a lord, in all the folly of the reigning fashion. He now described himself as the right heir to a German baron, who had been some time dead; that Lords Castlereagh and Sidmouth had acknowledged his claims to the title and property; had interfered in his behalf with the German government, and supplied him with money to support his rank in society. From this period I date his career as a government spy.

"He got himself an introduction to the Spenceans, by what means I am not aware of; and thus he became acquainted with the reformers in general. When I met with Edwards, after the massacre at Manchester, he described himself as very poor; and after several interviews, he proposed a plan for blowing up the House of Commons. This was not my view. I wished to punish the guilty only, and therefore I declined it. He next proposed that we should attack the ministers at the fête given by the Spanish ambassador. This I resolutely opposed: because the innocent would perish with the guilty: besides, there were ladies invited to the entertainment, and I, who am shortly to ascend the scaffold, shuddered with horror at the idea of that, a sample of which had previously been given by the agents of government at Manchester, and which the ministers of his majesty applauded. Edwards was ever ready at invention; and at length he proposed attacking them at a cabinet dinner. I asked where were the means to carry his project into effect? He replied, if I would accede, we should not want for means. He was as good as his word: from him, notwithstanding his apparent penury, the money was provided for purchasing the stores which your lordships have seen produced in court upon my trial. He who was never possessed of money to pay for a pint of beer, had always plenty to purchase arms or ammunition. Amongst the conspirators, he was ever the most active; ever inducing people to join him, up to the last hour ere the undertaking was discovered.

"I had witnesses in court, who could prove they went to Cato-street by appointment with Edwards, with no other knowledge or motive than that of passing an evening amongst his friends. I could also have proved, that subsequent to the fatal transaction, when we met in Holborn, he endea-

Digitized by Google

voured to induce two or three of my companions to set fire to houses and buildings in various parts of the metropolis. I could prove that, subsequent to that again, he endeavoured to induce men to throw hand-grenades into the carriages of the ministers, as they passed through the streets; and yet this man, the contriver, the instigator, the entrapper, is secured from justice, and from exposure, by those very men, who seek vengeance against the victims of his and their villany. To the attorney and solicitor generals I cannot impute the clearest motives: their object seems to me to have been rather to secure a verdict against me, than to obtain a full and fair exposition of the whole affair, since its commencement. If their object was justice alone, why not bring Edwards as a witness, if not as an accomplice? but no, they knew that by keeping him in the back-ground, my proofs, ay my incontrovertible proofs, of his being a hired spy, the suggester and promoter, must, according to the rules of court, also be excluded. Edwards and his accomplices arranged matters in such a manner, as that his services might be dispensed with on the trial, and thus were the jury cut off from every chance of ascertaining the real truth. Adams, Hieden, and Dwyer, were the agents of Edwards, and truly he made a most admirable choice, for their invention seems to be inexhaustible.

"With respect to the immorality of our project, I will just observe, that the assassination of a tyrant has always been deemed a meritorious action. Brutus and Cassius were lauded to the very skies for slaying Cæsar; indeed, when any man, or any set of men, place themselves above the laws of their country, there is no other means of bringing them to justice, than through the arm of a private individual. If the laws are not strong enough to prevent them from murdering the community, it becomes the duty of every member of that community to rid the country of its oppressors. High treason was committed against the people at Manchester, but justice was closed against the mutilated, the maimed, and the friends of those, who were upon that occasion indiscriminately massacred. The Prince, by the advice of his ministers, thanked the murderers, still reeking in the gore of their hapless victims. If one spark of honour, if one spark of independence still glimmered in the breasts of Englishmen, they would have risen to a man. Insurrection then became a public duty; and the blood of the victims should have been the watch-word to vengeance on their murderers. The banner of independence should have floated in the gale, that brought their wrongs and their sufferings to the metropolis. Such, however, was not the case; Albion is still in the chains of slavery. I quit it without regret,—I shall soon be consigned to the grave,—my body will be immured beneath the soil whereon I first drew breath,—my only sorrow is, that that soil should be a theatre for slaves, for cowards, for despots. My motives, I doubt not, will hereafter be justly appreciated. I will now conclude, therefore, by stating that I shall consider myself as murdered, if I am to be executed on the verdict obtained against me, by the refusal of the court to hear my evidence.

"I could have proved Dwyer to be a villain of the blackest dye, for since my trial, an accomplice of his, named Arnold, has been capitally convicted at this very bar, for obtaining money under circumstances of an infamous nature. I seek not pity; I demand but justice. I have not had a fair trial, and upon that ground I protest that judgment ought not to be passed against me."

Digitized by Google

The Lord Chief Justice, during the reading of this address, more than once interposed, to prevent the prisoner from either seeking to justify assassination, or slandering the characters of witnesses who had appeared to give evidence in that court. The prisoner, however, proceeded to read till he had finished what had been written on the paper in his hand. His manner was rapid and confused; and the mode in which he pronounced several words, gave abundant evidence that this paper was not his own composition.

Mr. Shelton then put the same question to Davidson, who spoke with great vehemence, and much gesticulation, nearly as follows:—

"My lords, you ask me what I have to say why I should not receive judgment to die for what has been said against me. I answer, that I protest against the proceedings in this trial in toto. In the first place, I always thought that in a court of justice, the balance of justice was held with an even hand. But this has not been the case with me; I stand here helpless and friendless. I endeavoured to show that the evidence against me was contradictory and incredible, and I hoped I had made an impression on the gentlemen in the box; but the moment I was done, the attorney-general got up and told them, that the evidence was pure and uncontaminated, and to this I may add, that Baron Garrow almost insisted that they should pronounce me guilty. I would ask, has any person identified me but the officers? who, every one knows, have at all times been instrumental in the death of innocent persons. I do not now plead for my life; I know I must fall a victim to the vengeance of my enemies. But in what manner have I been guilty of high treason? It would seem I was a silent spectator; none of the witnesses impute to me a single observation. Now is this probable? I had always got a great deal to say for myself, consequently I was not the person who would stand by without uttering a word; and yet such has been the testimony of Adams. Then, with regard to the blunderbuss, I have already explained that this was not mine, and that I acted in that affair entirely as the agent of Edwards. I have also declared how I came by the sword, and I now declare upon my soul, which will shortly appear before its Maker, that I never made any blow at any man, or discharged any carbine. As for Munday, the man who swore that I had a long sword, with a pair of pistols in my girdle, who is he? He is a poor labouring man, who comes here for his day's pay and his victuals, to swear away the life of a fellow-creature, and to support the unfounded charge against me that I meant to assassinate his Majesty's ministers. I appeal to any man, whether it is upon such evidence that the life of an innocent man is to be sacrificed? But even supposing, for the sake of argument, that the lives of his Majesty's ministers were threatened, it did not follow that this was to extend to the king himself. In a passage of Magna Charta, it was ordained that twenty-five barons should be nominated to see that the terms of the charter were not infringed; and if it was found his Majesty's ministers were guilty of such infringement, then four barons were to call upon them for redress. If this were not granted, then the four barons were to return to their brethren, by whom the people were to be called together to take up arms, and assert their rights. Such an act was not considered, in old times, as an act of treason towards the king, however hostile it might be towards his ministers. But this does not apply to me. I had no intention of joining in any scheme whatever, either to put down my king, or to

Digitized by Google

murder his ministers. I was entrapped by Goldsworthy and Edwards, in order, for some private purposes of their own, that they might have my life sworn away. I have no objection to tender my life in the service of my country; but let me at least, for the sake of my children, save my character from the disgrace of dying a traitor. For my children only do I feel, and when I think of them, I am deprived of utterance——. I can say no more."

Ings, on being called upon, said, "I have very little to say, for my abilities will not allow me to speak. If Mr. Edwards had not got acquainted with me, I should not be here; he came to me, unfortunately, when I had no business, nor any means of getting a living for my family. I entered into the conspiracy only through him, and it was only necessity and the want of means to support my wife and family that brought me here. It is only through Edwards that I shall lose my life. I do not mind dying, if you will let that man come forward and die with me on the scaffold; for it was through him that I was going to do that which, I must allow, was of a most disgraceful and inhuman nature. On the other hand, his Majesty's ministers conspire together, and impose laws to starve me and my family, and my fellow countrymen; and if I were going to assassinate these ministers, I do not see that it is so bad as starvation. There is another thing, a meeting was called at Manchester, under the protection of the law of England, for which our forefathers died, and which King John signed in the open air. This meeting was called under the protection of that law, for the people to petition parliament to give them their rights; but previous to the business of the meeting, the Manchester yeomanry rode in among them, and cut down men, women, and children, in a manner that was a disgrace to the very name of Englishmen. Those yeomen had their swords ground beforehand, and I had a sword ground also, but I do not see any harm in that. I shall suffer, no doubt; but I hope my children will live to see justice done to their bleeding country: I would rather die like a man, than live like a slave. I am sorry I have not power to say more; I shall therefore withdraw."

John Thomas Brunt next addressed the court in the following terms:— "I am precluded from saying much: I had intended to have committed to writing my defence, but I have been denied pen, ink, and paper;—as such, what I have to state will be very short. In the first place, whatever impression I made on the jury yesterday, was knocked down by the Solicitor-General, who appears to me, by his sophistical eloquence, to be capable of making the worst of crimes appear a virtue. And next, with regard to Edwards, to whose machinations I have at last fallen a dupe: he once before nearly entrapped me, when a cabinet dinner was given, I believe, at the Earl of Westmoreland's. He said he had part of the men mustered, but there was not sufficient. He had like to have hooked me in then, but I happened not to go to the house. No doubt that Hieden was in that plot for me; it was held at the Scotch Arms. Of all the infamous characters on earth, Edwards is the worst; and yet he has been kept altogether out of the view of the court. I protest against the verdict which has been pronounced against me. For my life, if it was sacrificed in the cause of liberty, I care not a farthing; but it is galling to have it sworn away by a set of villains who thirst after blood, merely for the sake of personal gain. Edwards is far more worthy of punishment than any of

Digitized by Google

us. He it was that furnished the arms—and he it was that goaded us on to our own ruin. He always spoke well of me, and said, if he had a hundred such men as me, he would be satisfied. He knew I was not a shuttlecock, to be bandied about at pleasure. He knew he could put confidence in my word, and that I would perish before I shrunk from what I undertook." (The prisoner then went on in a strain of strong invective against the witness Adams. After which he referred to the two Monuments. These two persons had been described by the Solicitor-General, as having had no communication with each other, and yet having agreed in all respects in their testimony. Was this the fact? No, for three weeks previous to the trials, they met twice a day at the Tower, rehearsed their story, and thus were enabled to come forward quite perfect in their respective parts. He next adverted to the character of his apprentice Hale, and was casting strong reflections on his conduct—when

The chief justice said he could not suffer such observations to be made under such circumstances.

Brunt begged pardon, but said he stated nothing but facts. He next adverted to the conduct of Lords Castlereagh and Sidmouth; "They," he said, "had been the cause of the death of millions, and although he admitted he had conspired to put such men out of the world, still he did not think that amounted to high treason. He was one of those who would have been satisfied with taking off the cabinet ministers; but the verdict against him, of intending to depose his majesty, he contended, was utterly at variance with truth and justice. He had never contemplated any such consequence. He was neither a traitor to his king nor to his country; nor would he suffer any man in his presence to speak irreverently of his sovereign. In undertaking to kill Lord Castlereagh, Lord Sidmouth, and their fellow ministers, he did not expect to save his life—he was determined to die a martyr in his country's cause, and to avenge the innocent blood shed at Manchester." In conclusion, he said he was willing to suffer for the acts which he had contemplated; but it grieved him to think that he was to suffer for a crime of which he was innocent, namely, High Treason. On these grounds, he protested against the verdict of the jury, as contrary to law and justice.

Richard Tidd was the next called upon. He spoke as follows:—

"My lords and gentlemen, being only found guilty so late last night, I have not had an opportunity to make up any defence. All I can say is, and I positively swear it, that the evidence that has come before you, with the exception of that of Captain Fitzclarence, is utterly false."

James Wilson said, "I am not gifted with the power of talking much, but I mean to say, that I was certainly drawn into this by this Edwards."

John Harrison, and John Shaw Strange, contented themselves with declaring that they had been brought into the matter by Edwards.

James Gilchrist addressed the court in the following terms. "What I shall say in the presence of my God and you is, that till the Wednesday evening at four o'clock, I knew nothing about this business. I was going to look for work, and I had neither money nor bread; so I went to what I was told was to be a supper of the radicals. At six o'clock I met Charles Cooper, who was the only man I knew, and I borrowed a halfpenny of him, which with another enabled me to get a pennyworth of bread, and this I eat very sweet. I wish I may never come out of this

Digitized by Google

place if I tell false. We then went into the stable and up stairs, where there was some bread and cheese. I took an old sword and hewed down the loaf, of which others who were as hungry as me partook. I then asked what all these arms were about, and when I heard, I was so shocked that I determined to get away as fast as I could. Soon after the officers and soldiers came, and I thought it my duty to surrender. I now stand here convicted of high treason, after I served my king and country for twelve years, and this is the recompense. Oh, God!—I have nohing more to say."

Charles Cooper said, he had much to say, but his friends thought it would be imprudent. He said, "he could only declare that he was not guilty of the crime imputed to him."

The crier of the court now proclaimed silence in the usual manner, while sentence of death was passing upon the prisoners:—and the Lord Chief Justice then proceeded to address the prisoners severally by their respective names.

After a most admirable and affecting speech, he passed sentence in the usual form upon them, directing that after they should have been hanged, their heads should be severed from their bodies, and their bodies divided into four quarters, which should be at the disposal of his majesty..

The execution of Thistlewood, Ings, Brunt, Davidson, and Tidd, took place on the following Monday, at Newgate. Davidson was the only prisoner who did not reject religious consolation; and Thistlewood, when on the scaffold, turned away from the ordinary, with an expression of indifference and contempt.

Thistlewood having been first called upon to ascend the gallows, he did so with much alacrity, and he was immediately followed by Tidd, who shook hands with all his companions, except Davidson, who was standing apart from the rest. At the moment he was going out Ings seized him by the hand, exclaiming with a shout of laughter, "Come, give us your hand; good bye," but the remark was coldly received by the unfortunate convict, who dropped a tear, at the same time making some observation with regard to his "wife and daughter." Ings, however, with the most astonishing degree of levity, cried out "Come, my old cock-o'-wax, keep up your spirits, it will be all over soon," and Tidd appeared to squeeze his hand, and then attempted to run up the steps to the scaffold. In his haste and agitation he stumbled, but he quickly recovered himself, and, with a species of hysterical action, jumped upon the stage, and there stamped his feet as if anxious for the executioner to perform his dreadful office. He was received by the gazing multitude with loud cheers, which he acknowledged by repeated bows. While the executioner was fixing the fatal noose he appeared to recognise a friend at an opposite window, and he nodded to him with much ease and familiarity of manner. He repeatedly turned round and surveyed the assembled mob; and catching sight of the coffins, which were ranged behind the gallows, he smiled upon them with affected indifference and contempt. While waiting for the completion of the preparations for the execution of those whom he had left behind him in the press-room, he, as as well as Thistlewood, was observed repeatedly to refresh himself by sucking an orange; but upon Mr. Cotton's approaching him, like that prisoner, he rejected his proffered services.

Ings was the next who was summoned, and while on the scaffold he

Digitized by Google

exhibited the same indecent levity of manner which he had shown in the press-room. He laughed while he sucked an orange, and on his being called, he screamed with a sort of mad effort,

"Oh! give me Death or Liberty!"

to which Brunt, who stood near him, rejoined, "Ay, to be sure: it is better to die free than to live like slaves."

On being earnestly and charitably desired to turn their attention to more serious subjects, and to recollect the existence of a God, into whose presence they would soon be ushered, Brunt said, "I know there is a God;" and Ings, agreeing to this, added "that he hoped he would be more merciful to them than they were then."

Just as the hatch was opening to admit him to the steps of the scaffold, he turned round to Brunt, and smiling, shook him by the hand, and then with a loud voice, cried out, "Remember me to King George the Fourth; God bless him, and may he have a long reign!" Then recollecting that he had left off the suit of clothes in which he had been tried, but which after his conviction he had exchanged for his old slaughtering jacket, because, as he said, he was resolved that Jack Ketch should have no coat of his, he desired his wife might have what clothes he had thrown off. He then said to Mr. Davies, one of the turnkeys, "Well, Mr. Davies, I am going to find out this great secret."

He was again proceeding to sing

"Oh! Give me Death or Liberty!"

when he was called to the platform, upon which he leaped and bounded in the most frantic manner. Then turning himself round towards Smithfield, and facing the very coffin that was soon to receive his mutilated body he raised his pinioned hands, as well as he could, and leaning forward with savage energy, roared out three distinct cheers to the people, in a voice of the most frightful and discordant hoarseness. But it was pleasing to remark, that these unnatural yells of desperation, which were evidently nothing more than the ravings of a disordered mind, or the ebullitions of an assumed courage, were not returned by the motley mass of people who heard them.

Turning his face towards Ludgate-hill, he bowed, and cried out, "Here's the last remains of James Ings!" and again sung aloud, preserving the well-known tune of that song as much as possible,

"Oh! Give me Death or Liberty!
Oh! Give me Death or Liberty!"

Observing some persons near him, and amongst them one who was taking notes, he said, "Mind, I die an enemy to all tyrants. Mind, and put that down!" Upon viewing the coffins, he laughed, and said, "I will turn my back on death. Those coffins are for us I suppose."

At this time Tidd, who had been just spoken to by Thistlewood, was heard to remonstrate with Ings, and to tell him not to make such a noise, adding, "We can die without making a noise;" upon which Ings for a moment was silent; but soon burst out afresh, asking the executioner not to cover his eyes, as he wished to see as long as he could. At another time he said, "Mind you do it well—pull it tight;" or, as some heard it,

Digitized by Google

"Do it tidy." He also requested to have a greater length of rope to fall; and that at last his eyes should be tightly bandaged round with a handkerchief, which he held in his hand.

Upon the approach of Mr. Cotton he rejected his pious services; but cried out, as if sarcastically, "I hope you'll give me a good character, won't you, Mr. Cotton?"

Davidson was the next summoned; and it is truly gratifying to state the difference that marked the character and conduct of him who had derived his fortitude to face death, and all its awful preparations, from other principles and sources than those from which the others appear to have borrowed their wild determination. He had paid earnest and devoted attention to the consolatory offices bestowed upon him by the ordinary of the jail; and when he was called upon to ascend the scaffold, he did so with a firm and steady step, but with that respectful humiliation which might well be derived from his firm reliance in his Creator's goodness. His lips moved in prayer, and he gently bowed to the people before him; and he continued fervently praying with Mr. Cotton until the last duty of the executioner was performed.

The last summoned to the fatal platform was Brunt, whose conduct presented nothing particularly worthy of remark. The whole of the necessary arrangements were completed within a very few minutes after he had ascended the drop; and the fatal signal being given, the bolt was withdrawn, and the whole of the men almost instantly died. When their bodies had hung for half an hour, a new character entered upon the scaffold —the person who was to perform that part of the sentence which required the deceased men to be decapitated. He was masked; and from the ready and skilful manner in which he performed his office, it was supposed by many that he was a surgeon. The heads were exhibited successively at the corners of the stage; and the whole ceremony having now been completed, the bodies were carried into the interior of the jail in the coffins, which had been prepared for them.

It will be observed that there were six prisoners remaining, upon whom sentence was not executed. Of these, Gilchrist, who in reality turned out to be no party to the plot, received his majesty's pardon, and the other five were transported for life.

Having thus detailed the circumstances of this most diabolical conspiracy, we shall now give a brief biography of its principal promoters.

Arthur Thistlewood was a native of Horncastle, in Lincolnshire, where he was born in the year 1770. His father was land-steward to a most respectable family in the neighbourhood, and maintained through life an unblemished reputation. The subject of this sketch was, early in life, put to school with a view to his being educated as a land-surveyor; but having exhibited a disinclination for business, at the age of twenty-one, through the instrumentality of his friends, he obtained a lieutenancy in the militia, which he subsequently exchanged for a like commission in a marching regiment. He shortly afterwards married a lady possessed, as he supposed, of a fortune of 10,000*l.*; but upon his proceeding to make inquiries he found that she was entitled only to a life interest in the money, and that on her decease it would revert to a distant relation. Sixteen months after this marriage, Mrs. Thistlewood died in childbed, and her husband was left without a shilling. He had, however, retained his commission, and

Digitized by Google

at the commencement of the revolutionary war he accompanied his regiment to the West Indies, but he soon gave up his rank, and quitting the army, he proceeded to America. From thence he sailed to France, where he arrived soon after the fall of the tyrant Robespierre; and there he became fully initiated into all the feelings and doctrines of the revolutionists. He afterwards entered the French army, and was present at several battles; and although a person of moderate capacity, he obtained a considerable knowledge of military tactics. He was besides a good swordsman, and possessed undeniable courage. His habitual hatred of oppression, it appears, involved him in many disputes; and it is but justice to say that most of these redound to his credit. After the peace of Amiens, he returned to England, and found himself possessed of a considerable estate, which accrued to him on the death of a relative; but his evil genius still accompanied him. He sold his property to a person at Durham for ten thousand pounds, who becoming a bankrupt before the money was paid, Thistlewood found himself again reduced to comparative poverty.

His father and brother, both of whom resided in Lincolnshire, now took a farm and stocked it for him; but in consequence of the high rent and taxes he found himself an annual loser by the speculation, and, in consequence, abandoned agriculture. Previous to this, however, he had been married to his second wife, Miss Wilkinson of Horncastle, a woman who perfectly coincided in the political opinions of her husband. Driven from the country, he repaired to London with his wife, and contracted an acquaintance with the Spenceans. A propensity to gaming seems to have been the first step to his ruin. In early life he lost considerable sums at the *hells* of London, and this vicious habit did not abandon him in his later years, as it was well known that the gaming-table was his only resource against the pressing demands of his family, precarious as must have been the subsistence derived from such a pursuit.

In London, his constant companions were, the Watsons, Evans, and others of the same character: and the consequence of this connexion the reader may learn by a reference to the case of Dr. Watson, which we have already given. His imprisonment on that charge might have taught him prudence, but he was scarcely released from incarceration when he sent a challenge, to fight a duel, to Lord Sidmouth; the consequence of which was a motion in the Court of King's Bench, and Thistlewood was sentenced to six months' imprisonment in Horsham Jail.

Before this last confinement his dress was genteel, and his air that of a military man; but, after his release from Horsham Jail, his appearance indicated extreme poverty.

Oppressed by want, and instigated by revenge, he forgot the lessons misfortune should have taught him; and listening to the sanguinary suggestions of others, entered but too eagerly into the plot, for his connexion with which he was executed. The police watched his movements, and his every word and action were known to the secretary of state. Strange, indeed, was the infatuation he laboured under; and, if we look upon him as perfectly sane, his conduct must appear unaccountable. He had already been the dupe of a government spy. But the wretched man was occasionally supplied with money, and his case being desperate, danger, in his eyes, lost its forbidding aspect. The jaws of destruction were extended before

Digitized by Google

him, and he rushed upon his fate with all its horrors staring him in the face.

In person Thistlewood was tall and thin; his countenance was dark, but by no means expressive. He had no family by either of his wives, but a natural son took leave of him on the day before his execution.

Richard Tidd, singularly enough, was born at Grantham, in the same county with the birth-place of his leader, in the year 1773, and he was brought up to the trade of a shoemaker. At the age of sixteen years he quitted his master, and went to Nottingham, and having lived there until he had reached the age of nineteen, he proceeded to London. Here he appears to have taken considerable interest in the politics of the day; but having, in the year 1803, committed perjury, in swearing himself a freeholder, in order to enable him to vote for Sir Francis Burdett, as member for Middlesex, he fled to Scotland, to avoid prosecution. Having resided there during five years, he then returned to England, and after a short stay at Rochester, he proceeded once again to the metropolis, where he became a party to the plot for which Colonel Despard and others were executed, but escaped their fate, by being temporarily absent from town. During the war he enlisted into more than half the regiments of the crown, but he had no sooner received the bounty, than he deserted; and it appears most extraordinary that he should have so frequently escaped. In 1818 he commenced his last residence in London, and he then exhibited violent political feelings. Having become acquainted with Brunt, he was introduced by him to Edwards, and the assumed violence of the latter suiting his feelings well, he eagerly closed with every proposition which he made, however desperate it might be. It is not a little remarkable that he had always an impression on his mind that he should be hanged, and he frequently declared his belief to this effect to his friends. He left a wife and daughter behind him to deplore the truth of his prediction.

James Ings was the son of a respectable tradesman in Hampshire, and being possessed of a considerable property, when he came of age, he married a respectable young woman, and entered into business as a butcher, at Portsmouth.

Trade growing bad at the termination of the war, and his property having decreased, some of his tenements were sold, and he came up to London in 1818, with a little ready money, produced by the sale of a house, and opened a butcher's shop at the west end of the town. He could, however, get no business, and in a few months gave up the shop; and, with a few pounds he had left, he opened a coffee-house in Whitechapel.

Here he became involved in great distress, and at last was compelled to pawn his watch, to enable him to send his wife and children down to Portsmouth, to her friends, to prevent their starving in London. At the coffee-house in Whitechapel he sold, besides coffee, political pamphlets; and having read the different Deistical publications, from being a churchman he became a confirmed Deist.

He was a most affectionate husband and father; and his desperate situation, no doubt, was a principal cause of his joining the Cato-street plot. Edwards, Adams, Thistlewood, and Brunt, had frequently visited him during the time he kept the coffee and pamphlet shop; and, when he was in more desperate circumstances, he became a fitter companion for

Digitized by Google

persons engaged in such an atrocious crime as the one for which he suffered the sentence of the law.

For some weeks before the Cato-street discovery, Ings was in the utmost distress, quite penniless; and the means of subsistence were actually supplied to him by Edwards. At his instigation, also, he hired a room, in which he lodged, which was sufficiently capacious to contain a very considerable portion of the arms and ammunition of the gang.

This unfortunate man left a wife and four children to deplore his ignominious death.

William Davidson was born in the year 1786, at Kingston, in Jamaica, and was the second son of Mr. Attorney-General Davidson, a man of considerable legal knowledge and talent. He mother was a native of the West Indies, and a woman of colour. He was sent to England when very young, for the purpose of receiving an education suitable to the rank of his father, and his own prospects: and having obtained the first rudiments of knowledge, he was sent to an academy, where he studied mathematics. After some time he was apprenticed to a respectable attorney at Liverpool, at whose office he remained near three years, when he became tired of confinement, and ran away from his master. He now entered on board a merchantman, and on the first voyage was impressed. He arrived in England about six months afterwards, and wrote to his father's friend a supplicatory letter, and then, at his own particular desire, he was apprenticed to a cabinet-maker in Liverpool.

Davidson, though a man of colour, had a prepossessing person, and was upon the point of marriage with the daughter of a respectable tradesman at Liverpool, when, however, the match was broken off by his friends. He then took a passage on board a West-India merchantman, intending to return to his father; but he was again impressed on the voyage. On his return to port, he took the first opportunity of running away, and having obtained some money from his friends, he got work as a journeyman, at Litchfield. He subsequently paid his addresses to a Miss Salt, who was possessed of about 7,000*l.* of her own money, but her friends disapproving of the match, he became unsettled in his mind, and indisposed for business; and although his mother supplied him with 1200*l.* to commence trade on his own account, at Birmingham, in the course of twelve months he spent the whole of that sum, and repaired to London. Here he again obtained work, and was eventually married to a Mrs. Lane, a widow, with four children, who lived at Walworth, with whose assistance he began trade on his own account. Success, however, did not attend him, and he was compelled to remove to London, and to take a lodging at Mary-le-bone. While here, he appears to have joined the conspirators, into whose plans he entered with great willingness. He left two children of his own, by his wife, both of whom were under four years of age.

John Thomas Brunt was born in Union-street, Oxford-street; where his father carried on business as a tailor. He was for some time employed in the shop of a shoemaker, and he subsequently became an excellent workman in that business, and up to the age of twenty-three was the chief supporter of his mother, his father having died while he was yet young. At that age he married a respectable young woman, named

Digitized by Google

Welch. On the 1st of May 1806, she brought him a boy, who was fourteen years of age on the day his unfortunate father suffered the sentence of the law. Brunt was thirty-eight years of age.

The following particulars with regard to Edwards, whose name so frequently occurs during the preceding narrative, will enable the reader to form a just estimate of his character.

It appears that he had been originally a modeller, and kept a little shop in Fleet-street, where he sold plaster-of-Paris images. His poverty had been always apparent until a few months previous to the Cato-street plot, when there is no doubt he accepted the wages of government, and became a spy. For this office he appears to have been admirably adapted, as he was shrewd, artful, and unprincipled. His former acquaintance with the Spenceans procured him the confidence of some of its deluded members; and through them he got acquainted with Thistlewood and the others.

There is little doubt that the Cato-street plot was "got up" by him, although he found the unfortunate men who were hanged willing instruments in his hands. He furnished the means of providing the destructive weapons which were found in their possession, and he actually made the grenades himself; and when Thistlewood had escaped from Cato-street, he conducted him to the lodgings where he was next day apprehended.

Immediately after the execution of the traitors, several persons made depositions before Alderman Wood, stating the numerous attempts of Edwards to seduce them from their allegiance, and the worthy alderman applied to the secretary of state to have the villain apprehended, but he refused to interfere. A motion was made in the House of Commons a few nights afterwards by the same alderman; but, although some debate took place upon the subject, no effect was produced other than the exposition of the system which had been resorted to. An indictment was next preferred before the grand jury of the county of Middlesex, upon which a true bill was found; but although a reward of 100*l.* was offered for the apprehension of Edwards, he was nowhere to be found; and it was eventually discovered that he had gone to New Brunswick, to avoid the unpleasant consequences to which his conduct might have subjected him.

JOHN SCANLAN, ESQ., AND STEPHEN SULLIVAN.

EXECUTED FOR THE MURDER OF MRS. SCANLAN.

THE case of these offenders exhibits the most reckless and horrible depravity.

Mr. Scanlan, it appears, was the son of a most respectable gentleman, resident in the county of Limerick, Ireland, and was allied to persons of the first distinction. His father died during his infancy; and having early become possessed of a handsome competency, he entered the army. He held the commission of a lieutenant, and Sullivan, his fellow murderer, was a soldier under his command. At the conclusion of the war, Mr. Scanlan was put upon half-pay, and Sullivan being also discharged with a pension, he accompanied his late commander home, in the capacity of his servant. He was also a native of Limerick, and though not more than thirty-two

Digitized by Google

years of age, was much older than his master, who had not attained twenty-five years.

Young Scanlan, on his way to Limerick, where he proposed residing, stopped for some time in Dublin; and he there found an opportunity of ingratiating himself into the favour of a thoughtless but lovely girl of fifteen years of age, the niece of a Mr. Conery, a ropemaker. The gentlemanly appearance and polished address of Scanlan, aided by his protestations of love and tenderness, flattered the vanity of the poor girl; but she would not listen to him on any but honourable terms. She acknowledged her partiality for him, and charged him, if he was sincere, to make her his wife; and to this proposal he affected to consent, after a condition had been agreed on: which was, that she was to keep her marriage a secret from her uncle, lest his friends should hear of it—an event which he seemed to regard as pregnant with ruin to him.

The foolish girl consented to all he chose to enjoin, and in an evil hour quitted the roof of her kind uncle, carrying off with her one hundred pounds in notes, and twelve guineas in gold. Her lover pretended to act honourably, and carried her before an excommunicated priest, who joined their hands in wedlock. In resorting to what he conceived a means of escaping from the importunities of Miss Conery, as his wife, he was under the impression that the marriage would not be binding; but the knot had scarcely been tied, when he learned that the marriage was valid by the law of Ireland.

When the fugitive lovers quitted Dublin, they took up their abode in the romantic village of Glin, situated on the banks of the river Shannon, on the Limerick side. Scarcely, however, had the honeymoon passed over their heads, when Scanlan formed the dreadful resolution of getting rid of his wife. Her beauty, her love, her innocence, appealed to him in vain; he persisted in his resolution, and too fatally carried it into effect.

It appears that he was prompted to the dreadful deed by avarice and ambition: his sister, who had been married to a nobleman in the county of Limerick, apprized him of a match she was forming for him with an heiress of wealth and beauty, and requested his acquiescence. Knowing that he could not avail himself of the proposed advantage while his wife (for he knew that that was the real character of the woman he had seduced from her home) was alive, he determined that she should not long remain an obstacle to his advancement to rank and opulence. Sullivan was his confidant throughout the whole affair, and to him was intrusted the execution of his atrocious plan. Scanlan had purchased a pleasure-boat, in which they used to take excursions on the Shannon. Of this amusement his wife was very fond; and it was during one of these moments of recreation, while she should be impressed with the beauty of the scenery, that the monsters resolved to rob her of that life which bloomed so exquisitely on her youthful and animated cheek.

One evening, in the July of 1819. Scanlan affected to be called from home on business, but desired his wife to make Sullivan amuse her for an hour on the river in the boat. With this request she complied; and Sullivan, by his master's directions, got ready to execute their horrid purpose. Having provided a club to knock out her brains, and a rope and stone to tie to the body to sink it, he proceeded down the river. This man was

Digitized by Google

treated by his master and mistress with great familiarity, so that he was not obliged to keep that distance so necessary to good order, but used every freedom consistent with respect. When the boat had drifted to a secluded inlet, Sullivan prepared to execute his purpose; he raised the club in a menacing position, and was about to strike, when the lovely creature, thinking he only intended to frighten her, gave him a smile of such innocent sweetness and simplicity, that the assassin was disarmed. He dropped the instrument of destruction, conducted his mistress home, and told his unfeeling master that he had not strength to execute his commands.

The horrid resolution was postponed, but not abandoned. A few evenings after, Scanlan, accompanied by his wife and Sullivan, went out in the boat as usual; but the unfortunate woman was never seen alive after. Scanlan returned to his lodgings, and said that for misbehaving he had shipped Ellen (his wife's name) on board some vessel, the captain of which had taken her under his protection. This story was disbelieved; and a few days discovered their guilt—the corpse of the murdered Ellen was washed ashore, mutilated in a most shocking manner. The legs were broken in several places, one arm had been knocked off entirely, and a rope was tied round her neck. Her skull was fractured in a thousand pieces, her eyes knocked out of her head, and nearly all her teeth forced from her mouth. Horrid and deformed as was her once lovely person, still it was instantly recognised, when the murderers endeavoured to fly from justice. Of their guilt there could be no doubt; they were seen together in the boat; Sullivan had sold the murdered girl's clothes; and he and his master had quarrelled about some money, in the course of which quarrel Scanlan had been accused of the murder.

Sullivan escaped for twelve months the pursuit of justice; but Scanlan was almost immediately apprehended, though he had resolved never to be taken alive. The following August he was tried at the assizes; and being found guilty, Baron Smith ordered him for almost instant execution, lest the powerful interest of his family should procure a respite, if he left him even the period usually allowed to criminals convicted of murder. The time allotted Scanlan to live was too short to admit of a messenger going to Dublin and back again, and consequently he was executed, to the satisfaction of all lovers of justice.

Twelve months after, his guilty servant met a similar fate. Before his execution he made a full confession, from which the above particulars are partly taken. Such was the powerful influence of Scanlan's family, that, though they could not avert his fate, they succeeded in keeping it a secret from a large portion of the community, for they had influence enough to prevent an insertion of his case in all the Limerick newspapers, and it long remained unknown, except in the immediate neighbourhood of the transaction.

The trial of Sullivan, however, revealed his own and his master's guilt; and the whole circumstances of the frightful deed then came fully to light.

This story has supplied the author of "Tales of Irish Life" with the materials of a most interesting sketch called "The Poor Man's Daughter."

Digitized by Google

The Savage disarmed by a smile.

Pag.

London Published by Thomas Pegg, Cheapside.

Digitized by Google

Digitized by Google

JAMES NESBETT.

EXECUTED FOR THE MURDER OF MR. PARKER AND HIS HOUSEKEEPER.

THE night of Friday the 3rd of March 1820, was marked by the perpetration of a murder, not exceeded in point of atrocity by any whose circumstances are detailed in our Calendar of Crimes. It bears a striking resemblance to that committed by Hussey; for the victims were an old gentleman and his housekeeper—a Mr. Thomas Parker, aged seventy, and Sarah Brown, about forty-five years old.

Mr. Parker had been a working jeweller in London, where he had made a fortune sufficient to enable him to retire to Woolwich, where he resided for twenty-three years. His house was situated in Mulgrave-place, Red Lion Street, at a short distance from the Artillery Barracks. He was an inoffensive, gentlemanly man, and was much respected by the whole neighbourhood.

At one o'clock on Saturday morning, the 4th of March, the sentinel on duty at the north arch of the Artillery Barracks observed a dense smoke rising from Mr. Parker's house. He gave an alarm; and several of the artillerymen rushed forth, and found the flames bursting from the parlour window. The men rapped at the door with great violence, but no answer was returned. The cry of "Fire" spread; two engines arrived on the spot, and commenced playing into the window. The men then forced the street-door, and rushed into the passage; and from thence they went up stairs into the front room on the first floor. Here the ravages of the fire were perceptible; the furniture of a bed had been partly consumed; but in the bed itself there was no appearance of a human being. The men then ran into the bed-room on the second floor, which was found in flames; but having extinguished them, they continued their search for the inmates of the house; but neither Mr. Parker nor his servant could be found. It was now discovered that the flames were bursting forth with great violence from the parlour below, and that they were spreading rapidly to the upper floor; and every exertion became necessary to procure their suppression. A hole was cut in the floor of the bed-chamber, through which water was poured; and by this means, added to the incessant playing of the engines without, the danger was subdued. In a short time the parlour-door was thrown open, and a man belonging to the artillery having entered, he perceived a heap of something lying behind the door. He attempted to lift it up, when he found it to be the mutilated remains of a human body which was much burnt. A second body, which proved to be that of a female, was found stretched in the same place, although not so much disfigured. A further investigation of the premises now took place, when it was perceived that blankets had been nailed up against every window, as if to conceal the appearance of the flames within. Fire had been communicated in three different places—the parlour on the ground floor; the bed-chamber on the first floor; and the bed-chamber on the second floor. The drawers about the house were found standing open, and articles of apparel were lying about; and in the kitchen, some silver utensils were strewed on the floor. At break of day the bodies of Mr. Parker and his servant were examined, and it was found that the former was burnt nearly to a cinder; the left leg

Digitized by Google

and foot, on which there was a black silk stocking and a shoe, only remained entire. The skull, however, although the flesh was burnt off, remained whole, and afforded convincing testimony of murder: on the left side, towards the back, there was a terrific fracture. The woman lay stretched upon her face; her apparel was partly consumed, and her hair, which was very long, was hanging around her in matted and dishevelled locks. A horrible wound, apparently inflicted with a blunt instrument, was discovered over her eye, and at the back of her head there were three distinct fractures. The fact that the whole circumstance was the effect of a diabolical plot to murder Mr. Parsons and Mrs. Brown, and to conceal the crime by firing the house, now became obvious; and the utmost exertions were made by the police to apprehend the perpetrators of the foul deed. Several persons, whose conduct was deemed suspicious, were taken into custody; but as the evidence against them was very trifling, they were discharged. At length, however, the real murderer was apprehended at Portsmouth, and several articles of Mr. Parker's property were found in his possession, particularly two watches, some silver spoons, a silver ladle, &c.

This person went at Portsmouth by the name of James Watson, but his real name was James Nesbett. He had been in the artillery for twenty-three years, and after his discharge lived in Woolwich, where his wife kept a chandler's shop. They had five children; the eldest aged eighteen years, and the youngest at this time only sixteen months old. Nesbett himself followed that vicious and dangerous occupation—smuggling; bringing lace, silk, &c. from France, and carrying back other contraband goods from this country. In pursuit of this traffic he stopped some time at Portsmouth, where he cohabited with a girl of the town, who was afterwards the principal witness against him.

While sleeping with this girl she observed him to be very much troubled in his mind, as he frequently started in his sleep, and sometimes terrified her; so much so, that she left him on that account only. He, however, allured her back by presents; and, to account for the unnatural agitation in his sleep, he told her that he had killed two men in a duel, and one woman with a blow; and also promised to communicate another important secret to her. From this he was prevented by his being taken into custody; but he had already told her enough to induce the strongest suspicions as to his guilt.

When brought to Woolwich the people received him with a shout of exultation—a circumstance which affected him so much, that he was obliged to be carried before the justices, who were then sitting. He denied the crime with which he was charged; but after his committal to Maidstone, he confessed that he had been privy to it, having stood sentinel at the door while the work of destruction was going on inside. His accomplices he stated to have been old soldiers, whom he did not know—a tale as improbable as untrue; for it was distinctly proved that he was himself the only person engaged.

Nesbett's trial came on July the 28th 1820, when his guilt was established by a chain of circumstantial evidence so conclusive, that the jury did not hesitate many minutes about their verdict.

In addition to other facts proved against him, it appeared that when he first visited Portsmouth, he was remarked for possessing excellent sight,

Digitized by Google

but that after the murder he wore, whenever he appeared abroad, spectacles—the identical pair he had taken from Mr. Parker. In addition to the spectacles, he wore different dresses to disguise himself; but, notwithstanding all his caution, he was known, and apprehended; not, however, without much difficulty, for he attempted to shoot the officers, having a case of pistols loaded to the muzzle. Fortunately he was prevented from firing, and thus was preserved from having an additional murder to answer for.

Nesbett's countenance indicated great firmness of purpose, but nothing of atrocity. During his trial he showed great fortitude and self-possession, which was not disturbed by his hearing the awful sentence of the law, which consigned him to an ignominious death.

This wretched criminal was executed according to his sentence on Pennenden Heath, July the 31st 1820. It is gratifying to know that, in the interval which elapsed between his condemnation and execution, he acknowledged the justice of his sentence.

JAMES MACKCOULL, *alias* MOFFAT.

CONVICTED OF BURGLARY.

THE name of this offender is already known to our readers, by his connexion with his no less notorious compeer, Huffey White, whose case is already given.

Mackcoull, though he had an honest father, was educated a thief, and from infancy was initiated into all the mysteries of picking pockets, shoplifting, and house-breaking. He was born in the parish of St. Sepulchre, London, in the year 1763. His father, Benjamin Mackcoull, a man of good character, was a pocket-book maker; but, being unfortunate in business, he was appointed a city officer, in which situation he continued until his death. This poor man did all in his power to bring his children up in honesty; but, unfortunately, his praiseworthy exertions proved abortive, in consequence of his wife being a base unprincipled woman, who might be said to have educated her offspring for the gallows; for though they all, except one, singularly escaped such an ignominious death, they are all allowed to have richly merited it.

James had three sisters and two brothers. The daughters emulated the example of the mother, and were, with her, frequently convicted of petty crimes, being among the most expert and notorious thieves in London. They all lived till within a few years of James's death, notwithstanding their abandoned and vicious lives. The younger brother, Benjamin, was executed in 1786 for street-robbery; but the eldest, John, was always fortunate in eluding justice, though well known as a notorious character. He was frequently tried for various offences, but uniformly escaped conviction.

James Mackcoull received a very limited education, and could just read and write. At school he was frequently detected purloining the playthings of other boys; and at a very tender age he robbed a poor man who sold cats'-meat through the streets. The young villain saw the vender of offal put his money, as he received it, into a bag which hung on the handle of

Digitized by Google

his barrow, and, watching his opportunity, when the owner's back was turned, he cut the cord, and carried off the booty. Emboldened by success, he ventured again and again, and soon associated himself with gangs who were known to infest the entrances to theatres and places of amusement.

The father, ignorant of the vicious habits of the son, bound him apprentice to a leather-stainer, in Clerkenwell; but James, encouraged by his mother, adhered to his former comrades, and soon gave occasion to his master to discharge him.

He now became a notorious thief, and, by shifting his quarters, continued to elude detection; but, having been engaged with another in snatching the seals of a gentleman's watch in St. James's Park, they were pursued. Mackcoull's companion was apprehended; and he only escaped detection by going at night on board the Tender, at Tower Hill, and entering as a volunteer.

For two years he remained on board the Apollo frigate, in the character of an officer's servant, and afterwards on board the Centurion, in the same capacity. In the absence of temptation even a rogue may be honest; and Mackcoull acquired so good a character in the navy, that he was in a few years appointed purser's steward, and in the course of nine years saved a considerable sum of money. In 1785 he returned to London, where, in a short time, he dissipated all his earnings in the society of the dissolute and abandoned, and to repair his finances had recourse to his former habits of dishonesty. He soon eclipsed all his companions in iniquity, and shone pre-eminent as a pugilist, horse-racer, cock-fighter, gambler, swindler, and pickpocket. To carry on his depredations with success he assumed various characters, and succeeded in all. Not even the sanctuary of religion was free from his desperate villany; for he frequently went there to pick pockets, and on one occasion deprived the preacher of his watch, on his way from the pulpit. The knowledge and acuteness he displayed, as well as the successful manner in which he avoided discovery, procured him among his associates the appellation of "The Heathen Philosopher."

His fortunes, like those of more celebrated individuals, were precarious; and after various successes and disappointments, in his twenty-eighth year he married the mistress of a brothel, and assisted her in furnishing her house in Clifford's Inn Passage, which, in addition to its being a receptacle for unfortunate women, he made a depôt for stolen property. He was not destined to remain long unknown in his new avocation, however; and his secret depository having been discovered, he was compelled to quit London to avoid his being taken into custody. He subsequently, in 1802, went to Germany, where he passed as an English merchant named Moffat; but being compelled to have recourse to his original trade of picking pockets, as the only means of obtaining a living, he was suspected and at length, in 1805, after having visited most of the continental towns, was obliged to make a precipitate retreat home again. London, however, he soon found was no stage for him to act upon, and he proceeded to Scotland, where for a long time he carried on his "profession" under the mask of his being a leather-seller. The idea of the possibility of the robbery of the Scotch bank having struck him, it was carried out, with the aid of White and a man named French, in the manner which we have already detailed; and having by his ingenuity succeeded in securing his own safety, as well as

Digitized by Google

the possession of 8000*l.* of the stolen money, he retired into private life. By many it was supposed that he was now gone to the West Indies; but, in fact, he was industriously employed in Scotland in passing the notes of which he had retained possession. In 1812 he again visited London, but having broken faith with the bank in retaining the 8000*l.*, he was apprehended and sent to Glasgow, where he arrived on the 8th of April 1812, and was committed to jail. While here he did not seriously deny the robbery, but offered to make restitution to the bank, and promised their agent 1000*l.*, and gave them a bill for 400*l.* The bank not being at this time prepared to substantiate his guilt, he was discharged in the following July, and the agent of the bankers absolutely received from Mr. Harmer, of London the 1000*l.*, which however Mackcoull subsequently recovered by suit at law from that able solicitor, he having paid it without sufficient authority.

Mackcoull now considered himself beyond all danger, and in company with one Harrison, made several trips to Scotland, and purchased commercial bills in the name of James Martin, a merchant, and everywhere introduced his friend Harrison as a most respectable person. In 1812 he opened a deposit account with Messrs. Marsh and Co. bankers, in the name of James Ibel, and had in their hands at one period above 2000*l.*

In March 1813, he again visited Scotland to vend more of the stolen notes, but was taken into custody, and bills and drafts, in favour of James Martin, to the amount of 1000*l.*, which he had purchased, taken from him.

He was, however, soon afterwards again discharged out of custody, the money being retained in the hands of the bankers.

In 1815 he resolved to recover the bills and drafts from the magistrates, by whom they had been taken from him; and as they refused compliance with his request by letters, he visited Glasgow in person, and demanded, in the most insolent manner, the restitution of what he called his property. This being refused, he commenced an action against them, which, more than any other case that ever came before a court of justice, proves the glorious uncertainty of the law; for it continued to be litigated for five years; and, the bankers having become the defendants, the country, for the first time, witnessed the singular fact of an acknowledged thief contending with persons for the property he had actually stolen from them.

During the progress of this protracted case, Mackcoull attended the courts of law in person, and gave instructions to his agent. He always conducted himself with the greatest *sang froid*, and treated with contempt and derision the allusions made by counsel to his character. At length it was ruled that Mackcoull should be interrogated in person before the court; and after some hesitation he consented. This circumstance was no sooner known, than crowds flocked to hear his examination, which lasted for several days. He behaved in the most cool and determined manner; and when his absurd replies elicited a laugh in court, he always smiled with seeming self-approbation. The account he gave of himself was that he traded as a merchant, and that he chiefly transacted business with one James Martin, whose residence he could not tell. He objected to many questions put to him with the acuteness of a lawyer, and at length the session rose without having come to any decision; and Mackcoull returned to London in great spirits, to arrange with his brother John with respect to his future proceedings.

Digitized by Google

The bank was at this time in a critical situation: unless they proved Mackcoull's participation in the robbery, and that the bills &c. were purchased with notes stolen from the bank, they would have to deliver up to Mackcoull not only the bills, &c., but to pay all attendant expenses, besides incurring the disgrace of losing the action—an action unparalleled in the annals of any court of Europe, brought by a public depredator—a convicted rogue and vagabond—who was at large, and who was prosecuting with their own money a respectable banking company, for attempting to keep part of the property of which he had robbed them. But this was not all. Mackcoull's intention, if successful, was to follow up the decision with an action for damages, in which it was the opinion of many that he would also succeed.

In December 1819, Mackcoull and his agent urged the matter so strenuously, that the trial was fixed for the 20th of February 1820; and the issue to be tried was, whether Mackcoull was concerned in the robbery.

To prepare for the trial, the bank sent Mr. Donovan, an intelligent officer in Edinburgh, from Glasgow to London, to trace the route the robbers had taken nine years before, and to procure witnesses. Donovan was successful, and brought down with him Scoltop, who had prepared the instruments by means of which the robbery was effected, Mrs. Huffey White, several waiters at inns, and even Mrs. Mackcoull, who consented to give evidence against her husband. The most eminent lawyers at the Scotch bar were engaged on each side; and on the morning of the trial, May the 11th 1820, every avenue to the court was crowded to excess, so intense was the interest excited by the case. The result was against Mackcoull, for the witnesses completely established his guilt; and so unexpected was the appearance of some of them to him, that he frequently ran out of court, and on seeing Scoltop actually swooned away.

Mackcoull's career of villany was now near its end. On the 19th of June he was indicted for the robbery, in the High Court of Justiciary; and the same witnesses being again examined, the jury returned a verdict of Guilty—Death. Towards the conclusion of the trial Mackcoull often looked about him with a kind of vacant stare, and was observed frequently to mutter and grind his teeth. When the verdict was announced he gave a malignant grin; and when sentence was passed, he bowed respectfully to the court. On being carried back to jail his fortitude forsook him, and he appeared overwhelmed with despair. At this moment he said with emotion, "Had not the eye of God been upon me, such a connected chain of evidence never could have been brought forward!" His spirits, however, soon returned, and he received the number of visitors, who were led by curiosity to see him, with great cheerfulness.

Although he had treated his wife with great unkindness, she now came forward and supplied him during his imprisonment with every luxury in profusion. She also made application for a reprieve: and whether from her exertion or not, on the 14th of July a respite arrived, and in three weeks after a reprieve during his majesty's pleasure.

In the month of August, the wretched prisoner fell into a natural decline, and his mental faculties completely forsook him. In the course of a short time his hair, which had been previously nearly jet black, became a silver gray, and at length he died in the county jail of Edinburgh on the 22nd day of December 1820, and was decently interred at the expense of his wife, in the Calton burying-ground.

Digitized by Google

DAVID HAGGART, *alias* JOHN WILSON, *alias* JOHN MORRISON, *alias* BARNEY M'COUL, *alias* JOHN M'COLGAN, *alias* DANIEL O'BRIEN, *alias* THE SWITCHER.

EXECUTED FOR MURDER.

DAVID HAGGART was born at a farm-town called the Golden-Acre, near Cannon Mills, in the county of Edinburgh, on the 24th of June 1801. His father was a gamekeeper, and lived in the service of a gentleman of large fortune and great respectability. The first depredation committed by young Haggart was that of stealing a neighbour's bantam cock, and from this small beginning he was guilty of nearly every crime referred to in the Statute book. To go through a history of all his offences would be nearly to fill our volume, and we shall therefore give only a short sketch of his brief career. Having, after the commencement of his depredations in the manner we have described, quitted that restraint to which his parents had hitherto subjected him; he found himself, at the age of sixteen, plunged into the very depth of misery and crime. He soon formed an acquaintance with a lad name M'Guire, who was a native of Ireland, and was of a bold enterprising spirit, of surprising strength, and besides an experienced pick-pocket. Instructed by this veteran in the arts of wickedness, they agreed to travel to England together, and share the fruits of their unlawful occupation. It was when in company with, and encouraged by the daring acts of this lad, that he first attempted to pick a pocket in open day-light; and this attempt was made on a race ground, on the person of a gentleman who had been very successful in his bets. Haggart was so eager on his prey as to pull out the pocket along with the money, and the gentleman turned quickly round and examined his hands; but the booty was already passed to his companion, and the gentleman appeared satisfied of his innocence, but said that some one had picked his pocket. The produce of this his first public achievement was eleven pounds.

The scenes of most of the depredations which he subsequently committed were the fairs and races held in the north of England, and in Scotland; and he followed his new business with varied success. Kendal and Carlisle afforded him admirable opportunities of pursuing his avocation, and having secured a good booty; he proceeded with M'Guire to Newcastle, where they obtained lodgings in the family of a respectable widow lady, who had three daughters, by whom they were supposed to be respectable persons, travelling for pleasure, and in whose society they assumed the names of Wilson and Arkinson. Although they were admitted to the table and society of this lady, they continued to exercise their profession; and not unfrequently when they had accompanied their landlady's daughters to the theatre, did one of them retire, leaving his companion in care of the young ladies, while he proceeded to attack some gentleman, from whom he supposed he might be able to secure a booty.

In January 1818, on their way to Durham, to attend a fair, they came to a house in a lonely place, and determined to break into it. They entered it by a window, and met a strong resistance from the master of the house; but, having knocked him down, they succeeded in binding him hand and foot, and gagging him with a handkerchief. The rest of the family were females, and were too much terrified to interrupt them, and they proceeded

Digitized by Google

to rifle the house. Having taken about thirty pounds, they went to Durham, where Haggart was apprehended the next day; but having changed his clothes, and considerably disguised himself, the man whose house they had entered could not identify him; and he was liberated, and returned to Newcastle.

In two or three days they were both apprehended, and carried back to Durham, having on the same clothes in which they had committed the burglary; and the man whom they had robbed having then immediately recognised them, he was bound over to prosecute. They were tried under the feigned names of Morrison and Arkinson, and were found guilty, and sent back to prison, in order to be brought up for sentence of death at the end of the assizes.

They, however, lost no time in contriving their escape, and after long deliberation with their fellow-prisoners, they resolved on the attempt. They set to work on the wall of their cell, and had got out to the back passage, when the turnkey made his appearance. They seized him, took his keys, bound and gagged him; and having gained the back yard they scaled the wall, but Barney and another prisoner fell, after gaining the top: by this time the alarm was given, and the two latter were both secured; but Haggart having made his escape, returned to Newcastle, in company with a Yorkshireman, where he obtained a tool with which to assist M'Guire in making his escape; and they were returning to Durham when they were pursued by two officers, who got close to them on a wild part of the road unobserved. Just as they were springing on Haggart, he laid one of them low with his pistol, and left him, uncertain whether he had his murder to answer for. The Yorkshireman knocked down the other, and they then proceeded to Durham; where, in the night-time, Haggart, by means of a rope-ladder, got over the back wall of the jail, and conveyed a spring saw to M'Guire, who made his escape that same night, by cutting the iron bars of his cell window, and followed Haggart to Newcastle, and thence accompanied him to Berwick-on-Tweed, Dunse, and Coldstream. At these places they lost no opportunity of plying their trade; but on their reaching Kelso, M'Guire was secured while in the act of picking a farmer's pocket, and sentenced to three months' imprisonment.

Being now left without an associate, Haggart returned to Newcastle, where he resided for four months, in the house of his old friend, Mrs. A——. During his stay there, one of the young ladies was married to a respectable shopkeeper, when Haggart took the lead in conducting the festivities of the wedding. One evening, having accompanied one of the Miss A——'s to the theatre, on their return, a gentleman much in liquor attempted to insult the young lady; struggling in her defence, Haggart contrived to pick the pocket of his antagonist of nineteen guineas, with which he escaped unsuspected. At length having, as he conceived, remained as long as was expedient in this place, he took his departure in the month of June, and he then proceeded to Edinburgh, where he pursued the occupation of a shop-lifter. At this time, it appears, that he was suddenly seized with a severe and dangerous fit of illness, and being struck with remorse at his past conduct, he returned to the house of his parents; but he was soon after apprehended on a charge of shop-lifting, of which he had been previously guilty, and being sent to jail, all his deter-

Digitized by Google

minations to be more circumspect and honest, were put to flight. On his release he joined one of his fellow prisoners, named Graham, and with him recommenced the system of plunder, by means of which he had before supported himself.

Having stolen a pedlar's pack, and several articles of linendrapery and hosiery, Haggart assumed the character of a pedlar, and travelled the country to dispose of his ill-gotten goods.' After this he returned to Edinburgh, where he remained till January 1820, committing depredations of every description. On the 1st of March he was arrested at Leith, in company with an accomplice named Forest. The offenders made a desperate resistance, but were at length secured and committed for trial. The confinement was too much for our hero, however, and on the evening of the 27th of March, having obtained a small file, he cut the irons from his legs, and then forced up the door of his cell, and got into the passage. He next set to work upon a very thick stone wall, through which he at length made a hole, and got on the staircase just as the clock struck twelve. He had still the outer wall to penetrate, on which he fell to work with great caution, lest he should be heard. Having made considerable progress, he returned to the room where his companion Forest was, and brought him to his assistance; he also awoke one of the debtors whom he knew, and obtained his assistance in removing his handcuffs, having all along been working with them upon him. After great labour and violent pain they succeeded in wrenching the chain in two pieces. He then renewed his operations on the outer wall, and, having removed a large stone, got out a few minutes before five o'clock in the morning. When he gained the outside stair he saw a man coming towards him, and, supposing him to be an officer in pursuit of him, he leaped over the back of the stair; but recollecting that Forest had yet to get out, he prepared to give the man battle, lest he should attempt to seize Forest; but the man said to him, "Run, Haggart, run; I won't touch you." Forest then came out, and he took hold of his hand, and ran off at full speed, pulling him along with him.

Although he had thus extraordinarily succeeded in escaping from jail, it was not long before he was again secured for a new offence, committed in company with his old companion M'Guire, whom he had met at Dumfries. While the latter, however, was again convicted and received sentence of transportation for fourteen years, the former again obtained his liberation from prison, but under circumstances which eventually cost him his life. He was detained in the jail of Dumfries, and a fellow named Laurie, who was confined in the adjoining cell, suggested to him the possibility of their making their escape, by knocking down the jailor and taking the keys from him. Haggart, however, opposed a scheme, which he deemed unnecessarily violent, for he had already made arrangements, by which he hoped to secure his own safety; but another prisoner, named M'Grory, who was under sentence of death, urging the absolute necessity of violent means, he consented to seize and gag Thomas Morrin, the head turnkey, and to take his keys from him, and then to open the doors for all the prisoners to fly. Laurie, however, still persisted that they should use violence, and he employed a debtor, who was in the same jail, to procure him a large stone, with which he expressed an intention of attacking the jailor; and it appears that Haggart now agreed to his proposition.

Digitized by Google

Hunter, the keeper of the jail, having gone to the races, it was determined to seize the earliest opportunity, and Simpson and Dunbar, two other prisoners, were made acquainted with the plot. M'Grory's irons having been removed, Morrin was called up on some pretended errand, and Haggart immediately burst upon him. He struck him one blow with the stone, dashed him down stairs, and without the loss of a moment, took the key of the outer door from his pocket. Dunbar picked up the stone, but it appears that no more blows were given, although Morrin received some other wounds in falling.

Dunbar was standing over him, apparently rifling for the key which Haggart had already secured, Simpson had hold of Morrin's shoulders, and was beating his back upon the stairs, when Haggart rushed past them, crossed the yard as steadily as he could, took out the key, and opened the door. On getting out he ran round great part of the town; Dunbar overtook him, and at that moment they saw an officer coming directly up to them. They wheeled round and ran, but in a moment Haggart had the mortification of seeing his fellow-adventurer secured. He at first thought of rushing in to rescue him, but the crowd was too great to allow him to make the attempt; so he consulted only his own safety, and ran nearly ten miles in less than an hour. He then got on the high road to Annan, when he saw a post-chaise at full gallop almost within twenty yards of him; upon this he threw off his coat, and leaped a hedge into a field where some persons were employed in digging potatoes. They all joined the officers who had got out of the chaise in pursuit of him; but he fled across the field with amazing speed, and made for Cumlangan wood. The pursuers followed him into the wood, but he kept concealed close to the edge, and although they were very near him, he thus eluded their pursuit.

He then made for Annan, and reached that place before the alarm had spread so far; but while lying concealed in a haystack, where he slept during the night, he learned from a woman, who was conversing with a boy, that Morrin was dead. He proceeded on his flight, as soon as he conceived that a good opportunity was afforded, and disguised in some clothes, which he took from a scarecrow, he at length succeeded in reaching Newcastle, where he considered himself safe. Having there seen, and narrowly escaped being apprehended by a police-officer, who he knew was acquainted with his person, he again set out on his way from detection and reached Edinburgh in safety. Here he continued during a considerable period, and never ventured out unless in disguise; but having at length attracted the attention of a constable, who he was persuaded recognised him, he determined to quit so dangerous a vicinity; and, having gone round by the north and west of Scotland, to go to Ireland. The attraction of Edinburgh was too strong for him, however, and he once again entered that city before paying his proposed visit to the sister Kingdom; but he was again scared away, by his seeing bills posted up offering a large reward for his apprehension. At Dunkeld, Dundee, Kenmore, and Cupar-Fife, which he visited in succession, he was successful in obtaining considerable booties, and he at length prosecuted his intended journey to Ireland; but having landed at Belfast, he was there seized on suspicion of being the escaped murderer from Dumfries, upon the information of one Robert Platt, who had been in that jail at the same time with him. Assuming a rich brogue, and asserting that he was a native of Armagh, he somewhat

Digitized by Google

puzzled the magistrates, but notwithstanding his deceit, they were little disposed to part with him so easily. He was therefore committed to the custody of two yeomen, but having plied them plentifully with drink, he watched his opportunity, and giving them the slip, he jumped out at the window and once again obtained his liberty. Dublin was his next point, and there he fell in with a pickpocket, named O'Brien, and they agreed to go in company. On the quay of Dublin they saw some persons looking at a number of horses just arrived in a vessel from England; and amongst others, a man whose dress and appearance bespoke poverty and meanness. Haggart was not a little surprised to hear him offer eighteen guineas for a horse, and immediately began speculating on what part of his person this sum might be deposited. After some experiment, he found it in a greasy coat pocket, which hung behind unprotected, the frail duffle of his coat having given way to the rough hand of time, and having made prize of the purse, it proved to contain ninety-five guineas in gold, beside bank-notes. A few days afterwards, they took fifty-four pounds at the theatre door; after which they changed their dress, and, in company with two girls, hired a jaunting car, and a boy to drive them, and took a tour through the counties of Fermanagh, Cavan, and Derry. They were a month on their excursion, and spent upwards of 190*l*. On their return, being much reduced, Haggart started for King's county on foot, leaving his clothes in Dublin.

At Mullinger market he picked a farmer's pocket, and would have been apprehended, but for the connivance of a constable. At Tullamore fair he picked the pocket of a pig-drover, who afterwards accused him of the fact, but Haggart having concealed the property very securely, took a high ground, and insisted on his going before a magistrate for the accusation and assault. The poor drover was outwitted, and, alarmed lest he should get into further trouble, he apologised and was permitted to go.

It was Haggart's fate to commit only one more robbery, which was at a fair near Downpatrick, for which he was instantly apprehended and committed to the county jail to await his trial at the next assizes. The society and practices of this place it appears were horrible beyond description. Having received their supply of provisions for three days, the male prisoners blocked out the jailors, by digging up the stones of the floor, and placing them against the door, and then they broke their way to the wretched women in confinement, with whom they remained two days, giving way to every kind of wickedness. After spending this time in the most riotous manner, they were secured. Haggart was locked up closely in his cell, and kept in confinement till the day of trial. On the 29th March he was arraigned, and after a trial, in which it is evident that he was mistaken by the learned judge for some other person, and in which the judge himself offered to give evidence, that he had been before convicted before him; he was found guilty and sentenced to seven years' transportation. On his being carried back to the jail, he was recognised to be the man who had escaped from Belfast, and removed to Kilmainham jail, and there loaded with fetters. He soon thought of making his escape by digging through the back wall, with the assistance of several others, having first secured the entrance of their apartment; but some of the prisoners gave information, and Haggart being the first man who made his appearance through the hole, he got a severe blow; the others rushed

Digitized by Google

after him, but having still a high wall to get over, they were all secured by a party of soldiers, and locked up in their cells. He was subsequently guilty of some other misconduct in being insolent, and otherwise infringing upon the rules of the prison, in consequence of which he was handcuffed, and confined with a horrible iron instrument fitted on his head, from the front bar of which an iron tongue entered his mouth and prevented his speaking. This, which was certainly an arbitrary and cruel exercise of power, excited only opposition, and the moment it was removed, the prisoner took his seat on the window of his cell, and remained there during the rest of the day, singing the most profane songs he could think of. Even the fear of the iron helmet of Kilmainham could not keep him quiet.

But something awaited him far worse, and which, had he known, would have made his heart tremble, hard and wicked as it was. Next morning the prisoners, consisting of some hundreds, were taken down into a yard, and ranked in companies of twenty each. In a few minutes, John Richardson, the police officer from Scotland, made his appearance, accompanied by the two jailors and turnkey; a terrific sight to Haggart! He passed through all the ranks, and the second time stopped, and taking Haggart's hand, said, "Do you know me, David?" He again attempted to escape by the assumption of the Irish brogue, but it was of no avail. He was too well known, and being taken to the condemned cell, he was there loaded with irons, and subsequently carried off to Scotland. An iron belt was fixed round his waist, with his wrists pinioned to each side of it; a chain passed from the front of the belt, and joined the centre of a chain, each end of which was padlocked round his ancles, and a chain passed from each wrist to each ancle. In this dreadful (but by his own hardened and daring conduct necessary) state of torture and confinement, he was conducted to Dumfries. The officers treated him with the utmost tenderness and humanity, but he obstinately kept up his pretended ignorance for a considerable time.

On their approach towards Dumfries, which was in the dark, there were many thousands of people on the road, many of them with torches in their hands, waiting his arrival; and at the jail it was scarcely possible to get him out of the coach for the multitude, all crowding for a sight of Haggart, the murderer. Some discovered sorrow, and some terror; but whose could equal his own? He plunged through them all, rattling his chains, and making a great show of courage, but he afterwards owned that his heart was shaken at the thought of poor Morrin. As he went up the stairs to the cells, he had to pass the very spot where he struck him; "and oh!" confessed the guilty murderer, "it was like fire to my feet!"

After remaining at Dumfries three weeks, where the greater part of his Irish irons were removed, he was carried to Edinburgh, to be tried for the murder, with which he stood charged. He was immediately found guilty upon satisfactory evidence, and ordered for execution. During the next fortnight he exhibited the utmost indifference for his condition; but at length he was brought to a just sense of the manifold wickednesses of which he had been guilty; and he declared on the morning of his execution that he would not wish to escape, if the prison doors were open, as his death was the only atonement he could make in this world for his violations of the laws of God and man.

Early on the morning of his execution, Haggart joined earnestly in

Digitized by Google

devotional exercise with his ministerial attendant. After the chaplain of the jail had prayed, one of the officers of justice appeared, and requested all strangers to retire, as he had something to communicate to the unhappy prisoner. Haggart immediately exclaimed, in a hurried tone, "Oh! I suppose it is the executioner." His firmness for a moment abandoned him, and he walked rapidly across the cell with his arms folded, and with deep despair strongly painted on his countenance. He speedily, however, regained his composure; and when the executioner did appear, at once allowed his arms to be bound. He was then removed to a hall in the lower part of the lock-up-house, where he was received by two of the clergymen of Edinburgh and the magistrates. After prayers the procession proceeded to the scaffold. The conduct of the unfortunate youth there was in the highest degree becoming. While the beneficial influence of religion was apparent in his whole demeanour, his natural firmness of character never for a moment forsook him. He kneeled down, and uttered an earnest prayer; and after addressing a few words of deep and anxious exhortation to the great multitude by whom he was surrounded, he met his fate with the same intrepidity which distinguished all the actions of his short, but guilty and eventful life, having just completed his twentieth year. He was executed at Edinburgh, July the 18th, 1821.

Haggart, after his condemnation, wrote the history of his short and wicked life, which was subsequently published for the benefit of his father, who he requested might receive any profit arising from it, for the purpose of educating his younger brothers and sisters. The foregoing particulars are taken from this singular auto-biography, which evinced a strong, though uncultivated mind, which, if it had been directed to laudable pursuits, could not have failed to place the writer in an honorable station in society.

DANIEL DOODY, JOHN CUSSEN, *alias* WALSH, JAMES LEAHY, MAURICE LEAHY, WILLIAM DOODY, DAVID LEAHY, DANIEL RIEDY, WILLIAM COSTELLO, AND WALTER FITZMAURICE, *alias* CAPTAIN ROCK,

CONVICTED OF ABDUCTION.

It was the opinion of Dr. Johnson that many of the romantic tales of the middle ages had their origin in truth, and that the absolute distress of females might, in all probability, have called for the institution of "knight errantry." To protect the defenceless is a natural impulse, which has its foundation in the sympathies of our nature; but when a female, young, beautiful, and innocent, is the victim of oppression, there is no man, with common feelings, who would not risk his life to snatch her from despair and misery. In this happy country there are few instances of abduction; but in Ireland this unmanly crime is too prevalent. The disturbed state of certain parts of the country gives aid to the schemes of unprincipled ruffians, acting on the presumption that injured females, when degraded and dishonoured, would, of necessity, save the violators of their innocence from ignominy by a marriage—the only means, they suppose, left them to escape from unmerited shame. The persons thus forcibly carried away are generally the daughters of opulent farmers—a fact which clearly shows

Digitized by Google

the mercenary views of those who commit so base and cowardly an outrage on the most defenceless part of the creation.

Among the numerous outrages of this nature was one on the person of Miss Honora Goold, a young lady remarkable for her personal beauty. She lived in the house of her mother at Glangurt, in the county of Cork, and had two sisters older than herself, she being scarcely sixteen, and a brother. On the 4th of March 1822, about twelve o'clock at night, their dwelling was attacked by an armed banditti, who, on threatening to burn the house, were admitted. One of the ferocious ruffians burst into Miss Honora's apartment, and asked if she was the eldest Miss Goold. She replied in the negative, and said that her sister was on a visit in Cork. The inquirer then withdrew, and having searched several other apartments, returned, followed by five or six others, and repeated his interrogations, but on this occasion answered them himself in the affirmative, and then ordered her to rise and dress herself, and to accompany them. At the suggestion of one of the party, they withdrew from the room; but Miss Goold was scarcely dressed when they returned; and one of them seizing her round the waist, carried her screaming to the outside of the house, where she was received by a stranger on horseback. She was placed in front of the horseman, and then the party, in spite of her cries and entreaties, set off in the direction of the Galties, a range of hills between the counties of Cork and Limerick. At the distance of several miles they halted, and there, having procured a pillion, their captive was compelled to ride behind the leader of this atrocious band. In her eagerness to escape she fell several times during their progress; and having continued her screams all the time, one of the ruffians threatened to murder her unless she desisted.

By daylight they had entered the recesses of the Galties; and several of the party having occasionally dropped off, she was conducted by the few that remained to the house of David Leahy, a substantial farmer.

The leader of this outrage was a young man named Brown, of a respectable family, and who had received an education which should have rendered him incapable of such base and unmanly conduct. The elder Miss Goold was entitled, on her marriage, to a large fortune; and Brown, hoping to possess himself of it, resolved to carry off the young lady. Being disappointed by the precipitancy and mistake of his assistants, he determined to make sure of the lovely victim who had fallen into his power, knowing that the opulence of her family could make him independent, provided he could insure the consent of the astonished girl he had forcibly carried off. With virtuous indignation, however, she repulsed his advances, and begged the protection of Mrs. Leahy, in whose parlour she now was; but, strange to say, this woman, who was herself a mother, connived at the ruin of her unprotected guest.

Foiled in his direct attack, Brown had recourse to an expedient which, for the honour of human nature, we would wish never to record, did not impartial justice demand an honest discharge of our duty as faithful narrators of criminal occurrences. It was proposed, immediately after breakfast, that Miss Goold should take some rest. A bed was in the parlour, and she was directed to repose upon it. This, indeed, after the fatigue of the night, was most desirable; but to her utter astonishment, the family, in which were two females, left the room, at the same time locking the

Digitized by Google

Abduction of Miss Gould.

Digitized by Google

Digitized by Google

door upon herself and Brown. The monster, in spite of her entreaties and screams, proceeded to undress her, and insisted on lying beside her. The reader need not be told the rest—the purity of female innocence was grossly violated in the person of this young and lovely creature; and her destroyer arose from his bed of lust, the polluter of one whose peace of mind neither the world's sympathy nor the world's wealth could restore.

The friends of Miss Goold, who comprised the wealth and respectability of the county of Cork, instantly set about recovering the injured lady. The pursuit was continued from day to day for three weeks; and the vigilance of her friends was only evaded by her being removed from house to house, and from cabin to cabin; and even once, by her being exposed for a whole day and night to the inclemency of the weather on a bleak mountain, when she had the agony of seeing her friends at a distance, but was prevented from calling to them, or flying to join them, by a ruffian, who stood sentinel over her with a loaded pistol. At length, however, her sufferings were to be terminated. Though weak and almost exhausted by opposition to her foul abuser, she still remained firm in her virtuous resolve to be no consenting party to the violence offered to her, and at the conclusion of three weeks, she was placed by her ferocious guards in a poor cabin on the roadside, where her friends might find her. When discovered she was in a condition of the greatest misery, being so weak as to be unable to walk, stand, or sit. Seventeen hours were occupied in removing her thirteen miles, to her mother's house, but when once restored to home and its enjoyments her recovery was rapid, and in a short time her health was re-established, as far as it was possible under all the frightful circumstances of her affecting case. From the description, which she gave of the perpetrators of this act of violence, several of the party were apprehended. Brown, the guilty contriver of the plan, escaped from the country; and Fitzmaurice, alias Captain Rock, evaded the pursuit of justice for a considerable time, but at last surrendered to a magistrate. The men whose names head this article, except Fitzmaurice and Costello, were brought to trial on the 29th of July 1822, at Limerick. Miss Goold appeared to give evidence, and her narrative, which she delivered with modest dignity, procured her the willing sympathy of a crowded court. The prisoners were found Guilty—Death; but the three Leahys and Cussen were subsequently discharged, on a point of law operating in their favour.

On the 23rd of August following, Walter Fitzmaurice, better known at the time as Captain Rock, pleaded guilty at the Cork assizes; and, along with Costello, who was found guilty on the solitary evidence of Miss Goold's brother, who swore to his having seen him on the night of the abduction, received sentence of Death.

On the ensuing Saturday, Costello underwent the awful sentence of the law, but Fitzmaurice was respited, something having arisen in his favour, principally on the ground of his having pleaded guilty in consequence of the judge refusing to put off his trial in the absence of a material witness. Costello, to the last, declared his innocence, not only of the crime for which he was convicted, but of any connexion whatever with the White Boys.

Digitized by Google

PHILIP STOFFEL, AND CHARLES KEPPEL.

EXECUTED FOR MURDER.

On Tuesday night, April the 8th, 1823, a most inhuman murder was committed at Clapham, on the body of Mrs. Elizabeth Richards, a widow of seventy-five years of age. The unfortunate lady had resided for thirty years in the same house at the above town, where she was greatly respected by the neighbours. She kept no servant, and had no inmate but an elderly lady named Bell. The latter was in the habit of going out in the evening to attend a place of religious worship. A little after eight o'clock on the evening in question a neighbouring woman calling to see Mrs. Richards found her dead, lying on her back in the parlour, with an apron stuffed into her mouth. On examination it was found that robbers had perpetrated the dreadful deed, as the pockets of the deceased had been violently torn from her side, her watch and some money taken, as well as several articles of wearing apparel. The villains, however, had missed the principal object of their attack, for a large sum of money had escaped their search, which was concealed in an upper room. Upon an examination of the person of the deceased lady, it appeared that she had been smothered. She had been left by age only two teeth, and one of these was forced down her throat by the violence with which the wretches had thrust the apron into her mouth, with the view, no doubt, of preventing her from giving alarm. A paper parcel was found in the hall, on which was written "Mrs. Bell, *hat* Mrs. Richards, Clapham."

The sensation produced by this unprovoked murder was so great, that a public meeting was called in a day or two at Clapham, and a reward of two hundred guineas offered for a discovery of the murderers. The active officers of Union Hall police-office in the course of a week apprehended a suspicious character, Philip Stoffel, nephew to Mrs. Richards, a ruffianly-looking fellow of about twenty years of age. When brought to the police-office he denied all knowledge of the crime with which he was accused; but, being requested to write "Mrs. Bell, at Mrs. Richards," &c., he wrote the word *hat* for at, in a hand precisely similar to that in which the superscription on the parcel found after the murder was written. Seeing himself detected, he exclaimed, "It is of no use—I was at the murder!" He then, unsolicited, gave a full account of the whole transaction, and acknowledged who were with him at the time. Previously, however, to this confession, another of the gang, named Thomas Scott, a rat-catcher, was in custody, and had been admitted king's evidence. In his confession, which gave a minute account of the whole transaction, he stated that the robbery was planned by Stoffel, who called in the aid of himself, Keppel, and one Pritchard, but that the murder was the act of Keppel alone, Stoffel particularly desiring that they would not hurt his aunt. Whilst Scott was giving the parcel to Mrs. Richards, who went into the room to read the direction, Stoffel walked in gently and said, "My good old lady, we don't want to hurt you; we only wish for you to be quiet." She exclaimed "Oh Lord! oh dear!" when Stoffel put his hand upon her mouth, and the other two men coming in, he desired Keppel to hold her whilst he went up stairs, as he knew best where the money was, but not to hurt her. They then proceeded to rifle the house of all they

Digitized by Google

could get at, but did not break any locks, for fear of alarming the people in the next house. Though Mrs. Richards did not move, Scott declared that he did not think she was dead, but only that she had fainted.

In consequence of the information contained in Scott's confession, the officers went in pursuit of Keppel and Pritchard; and after having travelled from Gravesend to Portsmouth, they succeeded in apprehending Keppel, who was disguised in a smock-frock, &c. Keppel and Pritchard were by trade bricklayers, but had led a most abandoned life among the lowest prostitutes about Westminster. Pritchard, we are sorry to say, escaped the pursuit of justice, as he was never apprehended. Keppel denied all knowledge of the murder, and behaved in the most hardened manner.

Stoffel had every expectation of being admitted king's evidence; but he was not so fortunate, and he was arraigned along with Keppel at the Croydon assizes, July the 25th, for the murder of Mrs. Richards. The evidence against them was conclusive; for the confession of Stoffel, and the corroborated testimony of the accomplice, Scott, left no doubt whatever of their guilt.

Having been declared guilty by the jury, the learned judge (Mr. Serjeant Onslow) put on the black cap, and passed the awful sentence of the law upon the prisoners. Keppel, whose conduct throughout the whole transaction had been most thoughtless and hardened, then directly addressed the court in the most abominable language. He told the judge, that he was a bloody old rogue, and damned him and his laws together; and was only prevented from continuing his abuse, by his being forcibly removed from the dock.

The unhappy wretches continued, up to the day of their execution, which took place at Horsemonger-lane jail on the 28th July, 1823, to exhibit the utmost levity of demeanour, but were at length brought to a just sense of their condition on the morning of their death, and were turned off, professedly lamenting their past misspent life.

JOHN THURTELL AND JOSEPH HUNT.

CONVICTED OF MURDER.

For cold-blooded villany in its conception, its planning, and its perpetration, this murder must be allowed to stand unparalleled. The sensation which it created throughout the country was such, as was probably never exceeded in any previous case.

John Thurtell, the principal actor in the affair, was the son of a respectable and worthy man, Alderman Thurtell of Norwich, who twice filled the office of mayor of that city. Early in life he went to sea, and on his return obtained a lieutenant's commission in the German Legion, then serving in Portugal. He also served in Spain, and was at the storming of St. Sebastian. In 1821 he was residing at Norwich as a bombasin manufacturer, and in that year, he came to London to receive 400*l.* for goods which he had sold to a respectable house, and which, on his return, he was to pay among his creditors. Instead of doing so, however, he fabricated a story that, as he was walking along a lonely spot, near Norwich, he was stopped by footpads, and robbed of it; but his creditors did not hesitate to

Digitized by Google

tell him that he had invented this tale for the purpose of defrauding them; and, to avoid their importunities, he set off for London, in company with a girl, with whom he had lived for some time. Here he commenced business, in conjunction with his brother Thomas, but soon failed. On the 26th of January, 1823, their premises in Watling-street were burnt down, and very strong suspicions were entertained that the fire was wilful, and that the object of the Thurtells was to defraud the insurance-office.

About two years before this event, by which the brothers were thrown out of the immediate means of subsistence, John Thurtell had become a frequenter of a public-house in Bow-street, called the Brown Bear, which has since been removed, but which was then well known, as the resort of sporting men, and as a house much frequented by persons addicted to gaming. There was a room at the back of the premises, where high play was frequently countenanced among the customers, and where Thurtell, almost on his first introduction to the society, lost 300*l.* at blind hookey in the course of a very short time. Mad at his loss, he appears to have almost formed a resolution to quit a house for ever, where he firmly believed that unfair play was resorted to; but at the persuasion of his new friends, he became reconciled, and seemed to enter into the sporting circles, with somewhat of a determination to endeavour, by any means, to retrieve his own losses, and to profit by the inexperience and indiscretion of any, who might come in his way. He was doomed to be again disappointed, however, and to be again taught a somewhat severe lesson. The fights between Hickman, the Gasman, and Oliver, and between Jack Randall, and Martin "the master of the Rolls," were at this time on the *tapis*, and Hickman and Martin were in training at Wade's Mill, Herts. Thurtell was too good a flat to be given up yet, and on his exhibiting some anxiety to become acquainted with the men, he was conducted to them and introduced to them; the object being to deprive him of any little money, which he might still possess. Weare, who was his subsequent victim, was no less a frequenter of the Brown Bear, and no less an admirer of all the sports of the ring, and of the field; and having by a pretty long acquaintance with the "flash" world obtained a good knowledge of its members, and of its habits and proceedings, he was selected as the "plant," to be put upon the pigeon, who was to be plucked; or in other words, he was to be introduced to Thurtell as a new hand, and by pretending little acquaintance with the ways of the sporting world, was to draw him out, and then, bringing his real knowledge of all the habits of playmen into operation, was to fleece him of all he possessed. The plan being agreed upon was soon carried out, and another 300*l.* being eventually won from Thurtell, he swore vengeance against those who, he now clearly found, had conspired to rob him. They saw, however, that it was useless to proceed further against their dupe with any chance of getting anything from him, and in order to conciliate him, they determined to let him into a secret, which cost them nothing, and by which he might be able to secure some return for the losses, which he had sustained, by their instrumentality. He was therefore informed of a "cross," which was about to take place, that is, an unfair fight, which was to be fought, and by introducing him among their acquaintance, they procured for him a bet, by which he secured a sum of 600l. Thus successful, no effort could induce him to quit a circle, for which he appeared to have formed a strong partiality; and he soon

Digitized by Google

became known as one of a gang of the most unprincipled and successful gamblers. In his rounds, he frequently met Mr. Weare, and it appears that that gentleman had originally possessed a very considerable property, but, unfortunately, from his being a dupe, had himself become a gambler. It was not until Thurtell had been for some time acquainted with this person, however, as will be seen by the evidence, that the plan was laid for his murder; and the inducement for the commission of this diabolical offence is now well known to have been a "private bank," which Mr. Weare carried about him, in a pocket in an under waistcoat, and to which he had been frequently seen to convey money, when any "chance" turned up in his favour; and from which he had also been seen to take the necessary funds for carrying on any game, when he saw the likelihood of winning by the hazard of a large stake.

The circumstances immediately attending the murder are so fully and so well detailed in the opening speech of Mr. Gurney, (now Mr. Baron Gurney,) who was employed to conduct the prosecution, on the trial, which took place at Hertford, on the 5th January 1824, that it is almost unnecessary to do more than to give it at length.

The prisoners, who stood indicted, were John Thurtell and Joseph Hunt. The former has been already described; the latter was at that time well known as a public singer, and was somewhat celebrated for the talent which he possessed.

Mr. Gurney, in opening the case to the jury, stated that the deceased, Mr. William Weare, was known to be addicted to play, and to be in the habit of frequenting gaming-houses, and that the prisoner, Thurtell, was acquainted with him, and, as it was said, had been wronged by him, in respect to some play, in which they had been engaged, and had been deprived by him of a large sum of money. The prisoner, Hunt, was also known to Mr. Weare, but was not in habits of friendship or intimacy with him. He would next describe a person, whom he should have to call in evidence against the prisoners. He alluded to Probert, who was a party to the murder, after its commission, although it did not appear that he had any hand in its actual perpetration. He was engaged in trade as a spirit-dealer, and he rented a cottage in a secluded spot, called Gill's Hill Lane, situated about three miles from Elstree. He was himself usually engaged in London, in his business, during the day, and his wife lived at the cottage, which was a small one, and was fully occupied by his wife, her sister, (Miss Noyes,) some children of Thurtell's brother, Thomas, a maid-servant, and a boy. The vicinity of this cottage was selected by the prisoners as a fit spot for the perpetration of the murder, which had been already determined upon; and the mode of the commission of which, he should now proceed to describe. Thurtell and the deceased met at a billiard-room, kept by one Rexworthy, on the evening of Thursday, the 23rd of October, and being joined there by Hunt, Mr. Weare was invited by Thurtell to go to Probert's cottage, for the purpose of enjoying some shooting in the neighbourhood for two or three days. He accepted the invitation, and the following day was fixed for him to meet Thurtell, who promised to drive him down to the place. On the forenoon of the Friday, the deceased called at Rexworthy's, saying, that he was going out shooting with Thurtell, and at about three o'clock he went home, to the chambers which he occupied in Lyon's Inn, and having partaken of a chop dinner,

Digitized by Google

he packed up some clothes in a green carpet bag, and the laundress having called a coach, he went away in it, carrying with him the carpet bag, a double barrelled gun, in a case, together with a back-gammon board, containing dice, &c. He left his chambers in this manner before four o'clock, and drove first to Charing Cross, and afterwards to Maddox-street, Hanover-square; thence he proceeded to the New Road, where he got out of the coach, but returned after some time, accompanied by another person, and took his things away. At this time, Thomas and John Thurtell had need of temporary concealment, owing to their inability to provide the bail requisite to meet a charge of misdemeanour; and Probert had procured for them a retreat at Tetsall's, at the sign of the Coach and Horses, in Conduit-street, where they remained for two or three weeks previous to the murder. On the morning of Friday, the 24th of October, two men, answering in every respect to the description of John Thurtell and Hunt, went to a pawnbroker's in Mary-le-bone, and purchased a pair of pocket-pistols. In the middle of the same day Hunt hired a gig, and afterwards a horse, under the pretence of going to Dartford, in Kent: and he inquired at the stables where he could purchase a sack and a rope, and was directed to a place over Westminster Bridge, which, he was told, was on his road into Kent. Somewhere, however, it would be found that he did procure a sack and cord; and, on the same afternoon, he met at Tetsall's Probert, the two Thurtells, and Noyes. Some conversation took place at the time between the parties, and Hunt was heard to ask Probert if he, "would be in it,"—meaning what they (Hunt and John Thurtell) were about. Thurtell drove off from Tetsall's between four and five o'clock, to take up a friend, as he said to Probert, "to be killed as he travelled with him:" and he requested Probert to bring down Hunt in his own gig. In the course of that evening the prisoner, Thurtell, was seen in a gig, with a horse of an iron-grey colour, with a white face and white legs. He was first seen by a patrol, near Edgeware; beyond that part of the road he was seen by the landlord of a public-house; but from that time, until his arrival at Probert's cottage, on the same night, there was no direct evidence to trace him. Probert, according to Thurtell's request, drove Hunt down in his gig, and, having a better horse, on the road they overtook Thurtell and Weare, in the gig, and passed them without notice. They stopped afterwards at a public-house on the road, to drink grog, where they believed Thurtell must have passed them unperceived. Probert afterwards drove Hunt until they reached Phillimore Lodge, where he (Hunt) got out, as he said, by Thurtell's desire to wait for him. Probert from thence drove alone to Gill's Hill cottage, in the lane near which he met Thurtell on foot, and alone. Thurtell inquired—Where was Hunt, had he been left behind? and added, that he had done the business without his assistance, and had killed his man. At his desire, Probert then returned to bring Hunt to the spot, and went to Hunt for that purpose. When they met, he told Hunt what had happened. "Why, it was to be done here!" said Hunt, (pointing to a spot nearer Phillimore Lodge,) admitting his privity, and that he had got out to assist in the commission of the deed. When Thurtell rebuked Hunt for his absence, "Why," said the latter, "you had the tools." "They were no good," replied Thurtell, "the pistols were no better than pop-guns: I fired at his cheek, and it glanced off." He then proceeded to detail to them the mode, in

Digitized by Google

which he had committed the murder. He said that when he fired, Weare jumped out of the gig, cried for mercy, and offered to give up his money; but that he had pursued him up the lane, and finding the pistol useless, had knocked him down; that they then struggled together, and he tried to cut his throat with a pen-knife; but that eventually he had killed him, by driving the barrel of the pistol into his forehead, and then turning it in his brains. Mr. Gurney then continued to state, that a few minutes before the time at which the murder must have been committed, a gig was heard to pass Probert's cottage at a rapid pace, and the servant boy, who was in momentary expectation of his master's return, imagined that it was he. He found, however, that he did not arrive at the cottage, and he proceeded about the work on which he was before engaged. In about five minutes after this, some persons who were near the road distinctly heard the report of a gun or pistol, and then voices, as if in contention. Groans were next distinguished; but they became fainter and fainter, and at length they altogether died away. The spot from which these noises proceeded, was Gill's Hill Lane, near the cottage of Probert. At about nine o'clock Thurtell arrived at the cottage, and although he had started from town accompanied by a friend, he now was alone; but he had with him the double-barrelled gun, the carpet bag, and the backgammon board, which Mr. Weare had taken with him from his chambers. He gave his horse to the boy, and it had the appearance of having been sweated; but it was now cool, and it appeared as if, after having been driven fast, it had been allowed to stand. The boy inquired after his master, and was told that he would soon arrive, and then Thurtell went out again. His meeting with Probert had been already described; and Hunt having been again taken into the gig by the latter, from Phillimore's Lodge, they all returned to Probert's cottage together; Thurtell walking by the side of the gig. Probert on his arrival immediately went into the parlour, and acquainted his wife with the circumstance of Thurtell and Hunt having come down, as they were not expected; and presently on their joining him, Hunt, who was a stranger to Mrs. Probert, was formally introduced to her. They then supped on some pork-chops, which Hunt had carried down in the gig from London; and afterwards they all three went out together, professedly with the intention of calling on Mr. Nicholls, a neighbour, but in reality to visit the body of the murdered man. Thurtell conducted his two companions down the lane, and having led them to the spot where the murder was committed, they dragged the body through a hedge into an adjoining field, and there rifled the pockets of his clothes. Thurtell had already taken away his purse and watch, and they now secured a pocket-book, and any other valuables which he had in his possession. They then went back to the cottage, and Thurtell, with a sponge which was in the gig, endeavoured to remove some marks of blood which were on his clothes, many of which were distinctly seen by Probert's boy; and having been partially successful, they all proceeded again into the parlour. In the course of the evening Thurtell produced a gold watch and seals, but without a chain; and he also displayed a gold curb chain, which when single might be used for a lady's neck, or when joined, was fit to be used for a watch. Opening the chain, he remarked, that it was more fit for a lady than a gentleman; and he pressed it on Mrs. Probert, and eventually made her accept it. Some conversation then took place, and Hunt sang two or three songs, and then

Digitized by Google

an offer was made, that Miss Noyes' bed should be prepared for the two visitors, and that Miss Noyes should sleep with the children. This, however, was declined, and Thurtell and Hunt declared that they would rather sit up all night in the parlour. Mrs. Probert and Miss Noyes at length retired to rest, leaving the three men down stairs; but something had raised suspicion in the mind of Mrs. Probert, in consequence of which she did not go to bed, nor undress herself. She went to the window, and, looking out, saw that Probert, Hunt, and Thurtell were in the garden. It would be proved that they went down to the body, and finding it too heavy to be removed, one of the horses was taken from the stable. The body, enclosed in a sack, was then placed across the horse; and stones having been put into the sack, the body, with the sack, was thrown into the pond. Mrs. Probert distinctly saw something heavy drawn across the garden. The parties then returned to the house; and Mrs. Probert, whose fears and suspicions were now most powerfully excited, went down stairs, and listened behind the parlour door. The parties proceeded to share the booty; and Thurtell divided with the rest, money to the amount of six pounds each. The purse, the pocket-book, and certain papers which might lead to detection, were carefully burned. They remained up late; and Probert, when he went to bed, was surprised to find that his wife was not asleep. Hunt and Thurtell still continued to sit up in the parlour. The next morning, as early as six o'clock, Hunt and Thurtell were seen in the lane together. Some men who were at work there observed them, as they called it, "grabbling" for something in the hedge; and being spoken to by these men, Thurtell observed, "that it was a very bad road, and that he had nearly been capsized there last night." The men said, "I hope you were not hurt." To which Thurtell answered, "Oh! no, the gig was not upset," and then went away. These men, thinking something might have been lost on the spot, searched, after Thurtell and Hunt were gone. In one place they found a quantity of blood, further on they discovered a bloody knife, and next they found a bloody pistol—one of the pair which were purchased by Hunt. That pistol bore upon it the marks of blood and of human brains. The spot was afterwards still further examined, and more blood was discovered, which had been concealed by branches and leaves; so that no doubt could be entertained that the murder had been committed in this particular place. On the following morning, Saturday, the 25th of October, Thurtell and Hunt left Probert's cottage in the gig, carrying away with them the gun, the carpet bag, and the backgammon board, belonging to Mr. Weare. These articles were taken to Hunt's lodgings, where they were afterwards found. When Hunt arrived in town on Saturday he appeared to be unusually gay: he said, "We Turpin lads can do the trick. I am able to drink wine now, and I will drink nothing but wine;" and he seemed to be very much elated at the recollection of some successful exploit. It was observed that Thurtell's hands were very much scratched; and some remark having been made on the subject, he stated "that they had been out netting partridges, and that his hands got scratched in that occupation." On some other points he gave similarly evasive answers. On the Saturday, Hunt had a new spade sent to his lodgings, which he took down to the cottage on Sunday, when he again accompanied Probert in his gig. When he got near Probert's garden, he told him that it was to dig a hole to bury the body in; and soon after their reaching the house,

Digitized by Google

Thurtell joined them. On that night Probert visited Mr. Nicholls; and in the course of a conversation which took place between them, that gentleman remarked that some persons had heard the report of a gun or pistol in the lane on Friday night, and that he supposed that it was a joke of some of his friends. He denied all knowledge of the circumstance to him, but on his return home he communicated what had passed to Thurtell and Hunt. They were much alarmed at it, and the former declared that "he was baked;" and they all became extremely desirous to conceal the body effectually, more especially as Probert considered that he should be in danger, in the event of its being discovered in his garden. Thurtell and Hunt promised to go down to do it on the next evening; and in order that Probert's boy should be out of the way, they took him to town with them on the next day, and lodged him at Tetsall's in Conduit-street. They returned, in obedience to their promise; and while Hunt engaged Mrs. Probert in conversation, Thurtell and Probert went into the garden, and having drawn the body from the pond, placed it in Thurtell's gig to be carried away. Hunt was then apprised that all was ready; and he and Thurtell drove away with the body, refusing to tell Probert the place in which they intended to conceal it. He should now describe the circumstances under which this fearful and cold-blooded crime had been discovered, and its perpetrators brought to justice. The discharge of the pistol in Gill's Hill Lane, and the subsequent suspicious finding of the blood-marks, and of the knife and pistol, were circumstances which had induced great alarm in the minds of the inhabitants and magistracy of the surrounding neighbourhood; and although at first there was little to prove the absolute fact of murder having been committed, the whole of the appearances of the case were such as to leave little doubt that the two prisoners and Probert could explain, if they would, the real cause of the events which had produced so much confusion and suspicion. They were all, in consequence, taken into custody; and although Hunt had shaved off his whiskers, which had been previously very large, and had otherwise disfigured himself, he was proved to have hired the horse and gig which Thurtell had taken to Gill's Hill, and in which it was known that a person who was now nowhere to be found had accompanied him. Strict inquiries were made, and the most active investigation carried on by the magistrates, but nothing could be elicited which could in the slightest degree lead to the discovery of who was in reality the murdered man, for that murder had been committed was now presumed to be beyond a doubt; but at length, on the Thursday morning, Hunt, upon a species of understanding with the magistrates, pointed out a pond near Elstree, at a considerable distance from Probert's house, and there, sunk to the bottom by means of stones, in a state of nudity and covered only by a sack, were discovered the murdered remains of a man, who afterwards proved to be the unfortunate Mr. Weare, the former friend and companion of the prisoner Thurtell. The learned counsel having stated these circumstances, declared that in order to prove them all, he should be compelled to call before the jury Probert as a witness, who was confessedly privy to the concealment of the body, if not to the actual murder; but he should so build up and corroborate his testimony by that of other witnesses, that he conceived that no doubt could be entertained of its veracity. With regard to the prisoner Hunt: he was charged as an accomplice before the fact. He hired the

Digitized by Google

gig, and he procured the sack. The gun, travelling-bag, and backgammon board, were found in his lodgings. These constituted a part of the plunder of Mr. Weare, and could be possessed only by a person participating in this crime. Besides, there was placed about the neck of Probert's wife, a chain, which had belonged to Mr. Weare; and round the neck of the murdered man there was found a shawl, which belonged to Thurtell, but which had been seen in the hands of Hunt.

The collateral circumstances were then proved by a variety of witnesses, whose examination occupied the court during several hours.

Ruthven, the officer, deposited on the table a pistol and a pistol-key, a knife, a muslin handkerchief spotted with blood, a shirt similarly stained, and a waistcoat, into the pockets of which bloody hands had been thrust. A coat and a hat marked with blood were also produced, all of which belonged to Thurtell. Ruthven then produced several articles belonging to the deceased—the gun, the carpet bag, and his clothes.

Symmonds the constable, when sworn, took from his pocket a white paper, which he carefully unfolded, and produced to the court the pistol with which the murder had been committed. It was a blue steel-barrelled pistol, with brass about the handle; the pan was open, as the firing had left it, and was smeared with the black of gunpowder and the dingy stain of blood. The barrel was bloody; and in the muzzle a piece of tow was thrust, to keep in the horrid contents, the murdered man's brains. Against the back of the pan were the short curled hairs, of a silver hue, which had been dug from the dead man's head, and were glued to the pan firmly with crusted blood.

We shall now give the evidence of Probert and his wife, who were called, and which discloses the circumstances attending the murder, and the disposition of the property of the deceased, with more exact minuteness than the statement of the learned counsel. Probert's evidence was as follows:

"I occupied a cottage in Gill's Hill Lane for six months before October last; my family consisted of Mrs. Probert, a servant maid, and a boy. In the month of October, Miss Noyes lived with us, and two children of Thomas Thurtell, a brother of the prisoner's. I have been for some time past acquainted with the prisoner John Thurtell; and he had often been down to my cottage sporting with me: he knew the road to my cottage, and all the roads thereabouts well. Gill's Hill Lane, in which my cottage stood, is out of the high road to St. Alban's, at Radlett; my cottage was about a quarter of a mile from the high road, and fourteen miles and a quarter from Tyburn turnpike. In the latter end of October, the prisoner, John Thurtell, lodged at Tetsall's, the Coach and Horses, in Conduit-street; Thomas Thurtell lodged there also. On Friday the 24th of that month, I dined at Tetsall's with John Thurtell and Hunt; and Thomas Thurtell and Noyes were also there. After dinner, Thurtell said something to me about money, and I paid him 5*l.* which I had borrowed of him four days before. He then said, 'I think I shall go down to your cottage to-night; are you going down?' I said that I was, and he asked me to drive Hunt down with me, which I promised to do. Some further conversation took place, and he said, 'I expect a friend to meet me this evening a little after five; and if he comes, I shall go down. If I have an opportunity, I mean to do him; for he is a man that has robbed me of several hundreds. I have told Hunt where to stop; I

Digitized by Google

shall want him about a mile and a half beyond Elstree.' He then desired me to give Hunt, who had just come in, a pound, and I did so; and Thurtell told him, in case I should not go, to hire a horse and to go to Elstree, saying, 'You know where to stop for me.' Hunt made no answer. At a little after five o'clock, Thurtell started from the Coach and Horses in a gig. He drove a dark grey horse; and I went away some time afterwards with Hunt in my vehicle. In Oxford-street Hunt got out and bought a loin of pork for supper; and at the end of Oxford-street he remarked, 'This is the place where Jack is to take up his friend.' We then drove on, and about four miles from London we overtook Thurtell, who was driving, accompanied by another man. Hunt said, 'There they are; drive by and take no notice. It's all right; Jack has got him.' We, in consequence, passed on; and when we got to the Baldfaced Stag, about seven miles from London, and two miles short of Edgware, we stopped. It was then about a quarter before seven o'clock. On our way I asked Hunt who the man was who was in the gig with Thurtell; but he answered, 'You are not to know his name; you never saw him; you know nothing of him.' I went into the Baldfaced Stag, as I supplied the house with liquor; but Hunt walked on, saying, 'I won't go in, because I have not returned those horse-cloths I borrowed.' I stopped about twenty minutes; and then I drove on, and overtook Hunt at about a quarter of a mile from Edgeware. I took him up, and we drove on to Mr. Clarke's at Edgeware, and there we had a glass of brandy and water. A little further on we bought half a bushel of corn for the horse, and put it in the gig; and then we went on to the Artichoke, kept by Mr. Field. It wanted now only about eight minutes of eight; and Hunt said, 'I wonder where Thurtell is; he can't have passed us.' We pulled up at the Artichoke, and had four or five glasses of brandy and water; and we stayed there more than three quarters of an hour, waiting for Thurtell to come up with us. We then drove on; and at Mr. Phillimore's Lodge, which is about a mile and a half further on, Hunt said that 'he should remain there for John Thurtell;' and he got out on the road. I drove through Radlett, towards my own cottage; and when I was within about a hundred yards of it, I met Thurtell on foot. He cried out, 'Hallo! where is Hunt?' and I answered that I had left him at Phillimore's Lodge, waiting for him. He replied, 'I don't want him now; for I have done the trick.' He said that 'he had killed his friend that he had brought down with him; he had ridded the country of a villain, who had robbed him of three or four hundred pounds!' I said, 'Good God! I hope you have not killed the man?' and he said, 'It's of no consequence to you, you don't know him; you never saw him: do you go back and fetch Hunt—you know best where you left him!' I returned to the place where I left Hunt, and found him near the same spot. Thurtell did not go. I said to Hunt when I took him up, 'John Thurtell is at my house—he has killed his friend;' and Hunt said, 'Thank God, I am out of it; I am glad he has done it without me: I can't think where the devil he could pass; I never saw him pass anywhere, but I'm glad I'm out of it.' He said, 'This is the place where we were to have done it' (meaning near Phillimore's Lodge). I asked him who the man was, and he said, 'You don't know him, and I shall not tell you;' he said it was a man that had robbed Jack of several hundred pounds, and they meant to have it back again. By that time

Digitized by Google

I had reached my own house; John Thurtell stood at the gate as we drove into the yard. Hunt said, 'Thurtell, where could you pass me?' Thurtell replied, 'It don't matter where I passed you; I've done the trick —I have done it. But what the devil did you let Probert stop drinking at his d—d public-houses for, when you knew what was to be done?' Hunt said, 'I made sure you were behind, or else we should not have stopped.' Having taken the loin of pork in the kitchen, and given it to the servant to cook for supper, I went into the parlour and introduced Hunt to Mrs. Probert; he had never been there before. Thurtell followed immediately; we had stopped in the yard a short time before we went in, and when I spoke to my wife, I told her that we were going to Mr. Nicholls's to ask for a day's shooting. We then went out together, Thurtell carrying a sack and a cord with him, which he had taken from the gig. We went down the lane, and I carried the lantern. As we went along, Thurtell said, 'I began to think, Hunt, you would not come;' when Hunt answered, 'We made sure you were behind.' I walked foremost; and Thurtell said, 'Probert, he is just beyond the second turning;' When he came to the second turning, he said, 'It's a little further on,' and he at length said, 'This is the place.' We then looked about for a pistol and knife, but could not find either; we got over the hedge and there found the body lying; the head was bound up in a shawl, I think a red one. Thurtell searched the deceased's pockets, and found a pocket-book containing three five-pound notes, a memorandum-book, and some silver. He said, 'This is all he has got; I took the watch and purse when I killed him.' The body was then put into the sack head foremost; the sack came to the knees, and was tied with a cord; we left the body there, and went towards home. On our way Thurtell explained how he had killed him. He said, 'When I first shot him, he jumped out of the gig and ran like the devil, singing out that 'he would deliver all he had, if I'd only spare his life.' I jumped out of the gig and ran after him: I got him down, and began to cut his throat, as I thought, close to the jugular vein; but I could not stop his singing out: I then jammed the pistol into his head; I gave it a turn round; and then I knew I had done him.' Turning to Hunt, he said, 'Joe, you ought to have been with me, for I thought at one time he would have got the better of me. Those d—d pistols are like spits, they are of no use.' Hunt remarked, that he should have thought one of the pistols would have killed him dead, but that at all events he had plenty of 'tools' with him; and then we entered the house and had our supper. In the course of the evening Thurtell produced a handsome gold watch and seals, and a gold chain. He offered the chain to Mrs. Probert, saying, that it was more fit for a lady than a gentleman: but she at first refused it, although after a time she consented to accept it as a present. He then put the watch and seals into his pocket. A proposal was then made, that Hunt and Thurtell should sleep in Miss Noyes' bed, and that Miss Noyes should sleep with Thomas Thurtell's children; but they refused to consent to such a course, and declared that they would rather sit up and take a turn on the sofa. Hunt then sang two or three songs, and Mrs. Probert and Miss Noyes went to bed between twelve and one o'clock. When they had retired, Thurtell produced a pocket-book, a purse, and a memorandum-book. The purse contained sovereigns, but I cannot say how many. He took three five-pound notes from the pocket-book, and giving a note and sovereign

Digitized by Google

to Hunt, and a similar sum to me, said, 'That's your share of the blunt.' The papers and books were burned, to avoid any discovery, and then the carpet bag was examined. Its contents were replaced, and, as well as the backgammon board and the gun, were taken away on the ensuing day, by Hunt and Thurtell, in a gig. When this examination was completed, Thurtell said, 'I mean to have Barber Beaumont after this, and Woods.' The former is a director to an insurance company, with whom Thurtell had had some dispute; and the latter kept company with Miss Noyes. A general conversation then took place, the particulars of which I cannot recollect; and he may have mentioned other names, but I do not now remember them. At length Thurtell said, 'Well, Joe, we must go and get the body, and put it in the pond, meaning the pond in my garden. I said, 'By G—d, you shan't put it in my pond, or you will be my ruin;' but at length they induced me to consent, Thurtell saying, 'Had it not been for Hunt's mistake, I should have killed him in the other lane, and then returned to town and inquired of his friends why he had not come.' The two prisoners then went out together, and I waited for their coming back; but in a short time they returned, and Hunt said, 'Probert, he's too heavy; we cannot carry him; we have only brought him a little way.' Thurtell invited me to accompany them, and said, that he would put the bridle on his horse to fetch the body; and then we all went out together. We took the horse from the stable, and Thurtell and I went and fetched the body, while Hunt remained at the gate. The horse having been put into the stable again, we dragged the body down the garden, and putting some stones into the sack, we threw it into the pond. The man's feet were then found to be, perhaps, half a foot above the water; and Thurtell got a cord, threw it over the legs, and giving me one end, while he held the other, we drew the body into the centre of the pond, where it sunk out of sight. We all three then returned to the cottage, and I went to bed almost immediately. I found my wife up. Next morning I came down about nine o'clock. Thurtell said, in presence of Hunt, that they had been down the lane, to look for the pistol and knife, but neither could be found. They asked me to go down the lane and seek them, in the course of the day; which I promised to do: but when I went down the lane, I saw a man at work near the spot. That morning they went away after breakfast. On Sunday they came down again; and Thomas Thurtell and Mr. Noyes came also. Hunt brought a new spade with him. He said it was to dig a grave for the deceased. Hunt returned with the gig after setting down Thomas Thurtell, and brought out John Thurtell and Noyes. Hunt was very dirtily dressed when he came down, and went up stairs to change. When he came down, he was well dressed—in almost new clothes; and he said the clothes belonged to the deceased: he told me he had thrown a new spade over the hedge into my garden, and I found it there afterwards. John Thurtell and I walked to the pond. He asked me, if the body had risen? I said no; and he said it would lie there for a month. In the afternoon Hewart called, and I went with him to Mr. Nicholls's. On my return, I told Thurtell and Hunt that Mr. Nicholls had told me, that some one had fired a pistol or gun off, in Gill's Hill Lane, on Friday night, and that there were cries of murder, as though some one had been killed. He said it was about eight o'clock, and added, 'I suppose it was done by some of

Digitized by Google

your friends, to frighten each other.' John Thurtell said, 'Then I am booked.' I said, 'I am afraid it's a bad job, as Mr. Nicholls seems to know all about it; I am very sorry it ever happened here, as I fear it will be my ruin.' Thurtell said, 'Never mind, Probert, they can do nothing with you:' and I declared that the body must be immediately taken out of my pond again. Thurtell answered, 'I'll tell you what I'll do, Probert: after you are all gone to bed, Joe and I will take the body up and bury it.' But I told them that would be just as bad, if they buried it in the garden. John Thurtell said, 'I'll bury him where you nor no one else can find him.' As John Thurtell was going into the parlour, Hunt said, 'Probert, they can do nothing with you or me, even if they do find it out, as we were neither of us at the murder.' Thurtell and Hunt sat up all that night: I, Noyes, and Thomas Thurtell went to bed. Thomas Thurtell slept with his children. In the morning, John Thurtell and Hunt said that they had gone to dig a grave, but the dogs were barking all night, and they thought some one was about the ground; and he added, 'Joe and I will come down to-night and take him quite away, and that will be better for you altogether.' Thomas Thurtell and Hunt, and my boy, Addis, went away in one chaise after breakfast and John Thurtell, Thomas Noyes, and Miss Noyes in another. The boy was sent to town to be out of the way. That evening John Thurtell and Hunt came again in a gig about nine: they took supper; after supper, John Thurtell and I went to the stable, leaving Hunt talking to Mrs. Probert. Thurtell said, 'Come, let's get the body up; while Hunt is talking to Mrs. Probert, she will not suspect.' We went to the pond, and got the body up; we took it out of the sack, and cut all the clothes from it, and then we returned to the house, leaving the body naked on the grass. After a short time we all three went into the stables and took out Thurtell's gig; and Thurtell having produced from it a new sack and a cord, we put the body into the former, and then Hunt and Thurtell put it into the gig; but I refused to have anything more to do with it: they then drove away with it. On the ensuing morning I destroyed the clothes which we had cut from the body, and subsequently on the same day I was taken into custody."

Mrs. Probert, on being examined, corroborated the testimony of her husband with regard to all the circumstances which occurred in the cottage up to the time of her going to bed on the Friday night. She then went on to say—On my going up stairs, I did not go to bed directly, and my curiosity being aroused at my husband remaining below, I went to the head of the stairs to listen. I leaned over the banisters, and I heard a whispering going on, and what I took to be a trying on of clothes. The first words which I could distinguish were, 'This, I think, will fit you very well.' There was then a sound as of the rustling of papers on the table; and then they seemed to be thrown on the fire and burned. I afterwards went into my own chamber, and subsequently hearing something in the garden, I looked out. I saw two men go from the parlour to the stable; and then they led a horse out, and opening the yard gate, they took the horse into the lane. Some time after that, I again heard them in the garden; and there seemed to be something heavy dragged along the path. It appeared to be dragged in a direction from the stable to the garden, along the dark walk. I looked out, and had a view of it as they took it out of the dark walk, and it looked to be in a sack. After this

Digitized by Google

I heard a noise, which sounded to me like a heap of stones thrown into a pit —I can describe it in no other way. In addition to the conversation which I have already detailed as having taken place in the parlour, I also heard a voice, which I think was Hunt's, say, 'Let us take a five-pound note each.' I did not hear Thurtell say anything; but then I heard my husband say, 'We must say that there was a hare thrown up in the gig, on the cushion—we must tell the boy so in the morning.' I next heard a voice, I can't exactly tell whose say, 'We had better be off to town by four or five o'clock in the morning;' and then, I think, John Thurtell it was, who said, 'We had better not go before eight or nine o'clock;' and the parlour door then shut. I heard John Thurtell say also (I think it was his voice), 'Holding shall be next.' I rather think it was Hunt who next spoke; he asked, 'Has he (Holding) got money?' John Thurtell replied, 'It is not money I want, it is revenge; it is Holding who has ruined my friend here.' I did not at first understand who this friend was; I believe it meant Mr. Probert, my husband. I cannot say whether Holding had anything to do in the transactions of my husband's bankruptcy. 'It was Holding,' said John Thurtell, 'who ruined my friend here, and destroyed my peace of mind.' My husband came to bed about half-past one or two o'clock; I believe it was; I did not know the hour exactly."

The whole of the evidence in support of the case for the prosecution having now been adduced, the learned judge inquired of the jury, whether they conceived that it would be better at once to proceed to the conclusion of the case; or whether they would prefer that the defence of the prisoners should be postponed until the morning. The jury expressed their wish that the case should be at once concluded; but at the desire of the prisoner Thurtell, who respectfully pressed on their attention the long and harassing time he had stood at that bar, and begged for a night's cessation to recruit his strength, previous to making his defence, the court adjourned, the jury being locked up until the following morning.

The trial then proceeded, and Ruthven and Thomas Thurtell being recalled to be examined on some trifling points, in a short time Mr. Justice Park informed John Thurtell, that he was ready to hear any observations he had to make.

The prisoner then commenced his defence;—speaking in a deep, measured, and unshaken tone, and using a studied and theatrical action.

"My Lord, and Gentlemen of the Jury—Under greater difficulties than ever man encountered, I now rise to vindicate my character and defend my life. I have been supported in this hour of trial, by the knowledge that my cause is heard before an enlightened tribunal, and that the free institutions of my country have placed my destiny in the hands of twelve men, who are uninfluenced by prejudice, and unawed by power. I have been represented by the press, which carries its benefits or curses on rapid wings from one extremity of the kingdom to the other, as a man more depraved, more gratuitously and habitually profligate and cruel, than has ever appeared in modern times. I have been held up to the world as the perpetrator of a murder, under circumstances of greater aggravation, of more cruel and premeditated atrocity, than it ever before fell to the lot of man to have seen or heard of. I have been held forth to the world as a depraved, heartless, remorseless, prayerless villain, who had seduced my friend into a sequestered path, merely in order to despatch

Digitized by Google

him with the greater security—as a snake who had crept into his bosom only to strike a sure blow—as a monster, who, after the perpetration of a deed from which the hardest heart recoils with horror, and at which humanity stands aghast, washed away the remembrance of my guilt in the midst of riot and debauchery. You, gentlemen, must have read the details, which have been daily, I may say, hourly published regarding me. It would be requiring more than the usual virtue of our nature to expect that you should entirely divest your minds of those feelings which such relations must have excited; but I am satisfied, that as far as it is possible for men to enter into a grave investigation with minds unbiassed, and judgments unimpaired, after the calumnies with which the public has been deluged—I say, I am satisfied, that with such minds and such judgments, you have this day assumed your sacred office. The horrible guilt which has been attributed to me is such as could not have resulted from custom, but must have been the innate principle of my infant mind, and must have 'grown with my growth, and strengthened with my strength.' But I will call before you gentlemen whose characters are unimpeachable, and whose testimony must be above suspicion, who will tell you, that the time was, when my bosom overflowed with all the kindly feelings; and that even my failings were those of an improvident generosity, and an unsuspecting friendship. Beware then, gentlemen, of an anticipated verdict. Do not suffer the reports which you have heard to influence your judgment. Do not believe that a few short years can have reversed the course of nature, and converted the good feelings which I possessed, into that spirit of malignant cruelty, to which only demons can attain. A kind, affectionate, and a religious mother, directed the tender steps of my infancy in the paths of piety and virtue. My rising youth was guided in 'the way that it should go,' by a father, whose piety was universally known and believed—whose kindness and charity extended to all who came within the sphere of its influence. After leaving my paternal roof, I entered into the service of our late revered monarch, who was justly entitled the 'Father of his people.' You will learn from some of my honourable companions, that while I served under his colours, I never tarnished their lustre. The country which is dear to me I have served; I have fought for her; I have shed my blood for her; I feared not in the open field to shed the blood of her declared foes. But oh! to suppose that on that account I was ready to raise the assassin's arm against my friend, and with that view to draw him into secret places for his destruction—it is monstrous, horrible, incredible. I have been represented to you as a man who was given to gambling, and the constant companion of gamblers. To this accusation, in some part, my heart with feeling penitence pleads guilty. I have gambled. I have been a gambler, but not for the last three years. During that time I have not attended or betted upon a horse-race, or a fight, or any public exhibition of that nature. If I have erred in these things, half the nobility of the land have been my examples: some of the most enlightened statesmen of the country have been my companions in them. I have indeed been a gambler. I have been an unfortunate one. But whose fortune have I ruined?—whom undone?—My own family have I ruined, undone myself! At this moment I feel the distress of my situation. But, gentlemen, let not this misfortune entice your verdict against me. Beware of your own feelings, when you are told by the highest autho-

Digitized by Google

rity, that the heart of a man is deceitful above all things. Beware, gentlemen, of an anticipated verdict. It is the remark of a very sage and experienced writer of antiquity, that no man becomes wicked all at once. And with this, which I earnestly request you to bear in mind, I proceed to lay before you the whole career of my life. I will not tire you with tedious repetitions, but I will disclose enough of my past life to inform your judgments; leaving it to your clemency to supply whatever little defects you may observe. You will consider my misfortunes, and the situation in which I stand—the deep anxiety that I must feel—the object for which I have to strive. You may suppose something of all this; but oh! no pencil, though dipped in the lines of heaven, can pourtray my feelings at this crisis. Recollect, I again entreat you, my situation, and allow something for the workings of a mind little at ease; and pity and forgive the faults of my address. The conclusion of the late war, which threw its lustre upon the fortunes of the nation generally, threw a gloomy shadow over mine. I entered into a mercantile life with feelings as kind, and with a heart as warm, as I had carried with me in the service. I took the commercial world as if it had been governed by the same regulations as the army. I looked upon merchants as if they had been my mess companions. In the transactions I had with them, my purse was as open, my heart as warm to answer their demands, as they had been to my former associates. I need not say that any fortune, however ample, would have been insufficient to meet such a course of conduct. I, of course, became the subject of a commission of bankruptcy. My solicitor, in whom I had foolishly confided as my most particular friend, I discovered, too late, to have been a traitor—a man who was foremost in the ranks of my bitterest enemies. But for that man, I should still have been enabled to regain a station in society, and I should have yet preserved the esteem of my friends, and, above all, my own self-respect. But how often is it seen that the avarice of one creditor destroys the clemency of all the rest, and for ever dissipates the fair prospects of the unfortunate debtor! With the kind assistance of Mr. Thomas Oliver Springfield, I obtained the signature of all my creditors to a petition for superseding my bankruptcy. But just then, when I flattered myself that my ill fortune was about to close—that my blossoms were ripening—there came "a frost—a nipping frost." My chief creditor refused to sign, unless he was paid a bonus of 300*l.* upon his debt beyond all the other creditors. This demand was backed by the man who was at the time his and my solicitor. I spurned the offer—I awakened his resentment. I was cast upon the world—my all disposed of—in the deepest distress. My brother afterwards availed himself of my misfortune, and entered into business. His warehouses were destroyed by the accident of a fire, as has been proved by the verdict of a jury on a trial at which the venerable judge now present presided. But that accident, unfortunate as it was, has been taken advantage of in order to insinuate that he was guilty of crime, because his property was destroyed by it, as will be proved by the verdict of an honest and upright jury in an action for conspiracy, which will be tried ere long before the Chief Justice of the King's Bench. A conspiracy that was, but where? Why, in the acts of the prosecutor himself, Mr. Barber Beaumont, who was guilty of suborning witnesses, and who will be proved to have paid for false testimony. Yes; this professed friend of the aggrieved,—this pretended prosecutor of public abuses,

Digitized by Google

—this self-appointed supporter of the laws, who panders to rebellion, and has had the audacity to raise its standard in the front of the royal palace—this man, who has just head enough to continue crime, but not heart enough to feel its consequences,—this is the real author of the conspiracy, which will shortly undergo legal investigation. To these particulars I have thought it necessary to call your attention, in language which you may think perhaps too warm—in terms not so measured, but that they may incur your reproof. But

"The flesh will quiver where the pincers tear,
The blood will follow where the knife is driven."

When, before this, did it ever fall to the lot of any subject to be borne down by the weight of calumny and obloquy, which now oppresses me. The press, which ought to be the shield of public liberty, the avenger of public wrongs—which above all should have exerted itself to preserve the purity of its favourite institution, the trial by jury—has directed its whole force to my injury and prejudice: it has heaped slander upon slander, and whetted the public appetite for slanders more atrocious: nay more, what in other men would serve to refute and repel the shaft of calumny, is made to stain with a deeper dye the villanies ascribed to me. One would have thonght, that some time spent in the service of my country would have entitled me to some favour from the public under a charge of this nature. But no; in my case the order of things is changed—nature is reversed. The acts of times long since past have been made to cast a deeper shadow over the acts attributed to me within the last few days; and the pursuit of a profession hitherto held honourable among honourable men has been turned to the advantage of the accusation against me. You have been told that after the battle, I boasted of my inhumanity to a vanquished, yielding, wounded enemy—that I made a wanton sacrifice of my bleeding and supplicating foe, by striking him to the earth with my cowardly steel; and that after this deed of blood, I sat down to plunder my unhappy victim: nay more, that, with folly indescribable and incredible, I boasted of my barbarity as of a victory. Is there an English officer, is there an English soldier or an Englishman, whose heart would not have revolted with hatred against such baseness and folly? Far better, gentlemen, would it have been for me, rather than have seen this day, to have fallen with my honourable companions, stemming and opposing the tide of battle upon the field of my country's glory. Then my father and my family, though they would have mourned my loss, would have blessed my name, and shame would not have rolled its burning fires over my memory!—Before I recur to the evidence brought against my life, I wish to return my most sincere thanks to the high sheriff and the magistrates for their kindness shown to me. I cannot but express my unfeigned regret at a slight misunderstanding which has occurred between the Reverend Mr. Lloyd, the visiting magistrate, and my solicitor. As it was nothing more than a misunderstanding, I trust the bonds of friendship are again ratified between us all. My most particular gratitude is due to the Reverend Mr. Franklin, whose kind visits and pious consolations have inspired me with a deeper sense of the awful truths of religion, and have trebly armed my breast with fortitude to serve me on this day. Though last, not least—let me not forget Mr. Wilson, the governor of the prison, and the fatherly treatment which he has shown me throughout. My memory must perish ere I can forget his kindness. My heart must be cold

Digitized by Google

ere it can cease to beat with gratitude to him, and wishes for the prosperity of his family."

The prisoner then proceeded to read first a long written comment on the weaker parts of the evidence which had been produced against him, and then a number of instances from the Percy Anecdotes, exhibiting the fallibility of circumstantial evidence; but either the paper was so ill-written, or he was so imperfect a reader, that the effect was quite fatal to the flowery appeal which he had just before delivered to the jury. After having exhibited the utmost confusion, and stammered and blundered in a most extraordinary manner, he concluded his address in the following terms: "And now, gentlemen, having read those cases to you, am not I justified in saying, that unless you are thoroughly convinced that the circumstances before you are absolutely inconsistent with my innocence, I have a claim to your verdict of acquittal? Am I not justified in saying, that you might come to the conclusion that all the circumstances stated might be true, and yet I be innocent? I am sure, gentlemen, you will banish from your minds any prejudice which may have been excited against me, and act upon the principle that every man is to be deemed innocent until he is proved guilty. Judge of my case, gentlemen, with mature consideration, and remember that my existence depends upon your breath. If you bring in a verdict of guilty, the law afterwards allows no mercy. If upon a due consideration of all the circumstances you shall have a doubt, the law orders, and your own consciences will teach you to give me the benefit of it. Cut me not off in the summer of my life! I implore you, gentlemen, to give my case your utmost attention. I ask not so much for myself as for those respectable parents whose name I bear, and who must suffer in my fate. I ask it for the sake of that home which will be rendered cheerless and desolate by my death. Gentlemen, I am incapable of any dishonourable action. Those who know me best, know that I am utterly incapable of an unjust and dishonourable action, much less of the horrid crime with which I am now charged. There is not, I think, one in this court who does not think me innocent of the charge. If there be, to him or them I say, in the language of the apostle, 'Would to God ye were altogether such as I am, save these bonds.' Gentlemen, I have now done. I look with confidence to your decision. I repose in your hands all that is dear to the gentleman and the man. I have poured out my heart before you, as to my God. I hope your verdict this day will be such as you may ever after be able to think upon with a composed conscience; and that you will reflect upon the solemn declaration which I now make—I am innocent! so help me God!"

Hunt was next called upon, but his feeble voice and shrinking manner were strongly contrasted with the overwrought energy which had been displayed by his fellow-prisoner. He spoke of his agitation and fatigue, and desired that a paper, which he handed in, might be read by the clerk of the arraigns. It was accordingly read in a very feeling manner, but it contained little in reference to the charge against him, and insisted strongly upon the promise held out by the magistrate, on his first giving information upon the subject of the murder. The prisoner subsequently read a few words of comment upon Probert's evidence, but in a very dejected voice; and at its conclusion, he hung down his head, evidently completely overcome by his situation.

Digitized by Google

Mr. Justice Park then summed up the case to the jury at very great length, and in a manner which brought the whole of the material facts of the case under their attention in the clearest and most impartial manner. After an address of several hours' duration, the jury retired to consider their verdict. In about twenty minutes they returned into court, and declared both prisoners guilty.

They were then immediately called up to receive judgment in the customary manner, when Thurtell addressed the court in the following terms:—

"My Lord, before you pass sentence, I pray you to take into your serious consideration what I am about to say: I now for the last time assert that I am innocent. I entreat a short delay in the execution of the sentence you may pass, as I have friends now at a distance, with whom it is necessary that I should transact some business. It is for the sake of some friends who are dear to me, that I ask this indulgence; not for myself, for I am at this moment ready. My request I hope your lordship will take into consideration; and beyond Sunday is all I ask."

The learned judge, at the conclusion of this address, which was once or twice interrupted by the ebullition of the prisoner's feelings, announced that it was impossible that the request which had been made could be complied with, and immediately passed sentence of death upon both convicts. They then shook hands and quitted the bar, from whence they were at once conducted to their respective cells. Hunt, however, received an intimation that in consequence of the representations made with respect to the promise given by the magistrates, his punishment would, in all probability, be commuted to transportation for life.

The extraordinary interest and excitement which had been produced by this most remarkable case, from the first discovery of the perpetration of the murder, through the disclosure of the whole of the circumstances attending it, and up to the committal, trial and conviction of the prisoners, was now increased to an extent which may be pronounced to have been quite unparalleled. During the whole of Thursday, the day succeeding the termination of the trial, persons of all ranks and appearances were seen driving from every quarter into Hertford, in order, if possible, to obtain a sight of the execution of the malefactor, many being influenced in a very great degree by the anticipation that Thurtell would make some extraordinary disclosure in his dying moments. All the inns of the town were completely filled; and in many private houses beds were let at an enormous price. The most active preparations were made in the course of the day by the magistrates to prevent accident, and at the same time to afford as great a portion of the assembled multitude an opportunity to obtain a view of the scaffold and the execution; and arrangements were made, by which the space ordinarily occupied by the public in such instances should be very materially increased.

Meanwhile the proceedings in the jail on the part of the prisoners was of a nature to be most interesting. At ten o'clock on Thursday night, Thurtell expressed an anxious desire that Hunt might be permitted to pass the night in his room. His wish was immediately granted, and Hunt was introduced and was received with a strong manifestation of cordiality. Thurtell took him by the hand, and said, "Joe, the past is forgotten. I am on the brink of eternity, and we now meet only as friends. It may be your fate to lose your life as ignominiously as myself; but I hope

Digitized by Google

the royal mercy will be extended to you, and that you will live to repent of your past errors. Although you have been my enemy, I freely forgive you." Hunt, who had entered the room with feelings bordering on apprehension that some unfortunate turn had taken place in his affairs, and that he was himself to suffer, was suddenly relieved by this address, and, squeezing Thurtell's hand most vehemently, burst into tears; he then sat down by the fire, and Thurtell and he continued to pray and to read until one o'clock. Soon after one the former showed symptoms of fatigue, and lying on the bed, in a few moments afterwards he dropped into a profound sleep.

On Friday morning, at daybreak, every road leading to Hertford was thronged with travellers. At half-past six, Mr. Wilson, the jailor, entered Thurtell's room and found him fast asleep. The prisoner Hunt was also in a deep slumber. Mr. Wilson, unwilling to disturb their repose, retired, and at seven o'clock returned again; but the wretched men were still alseep. Mr. Wilson now approached the bed of Thurtell, and called him by name, when he started up, and for a moment seemed lost to his situation, not even knowing where he was, but his recollection quickly returned. His breakfast was then brought in: it consisted of some tea and bread and butter; but he partook only of the former, and that but slightly.

At half-past eleven Thurtell and Hunt were conducted into the chapel, where the Rev. Mr. Franklin administered the sacrament to them. Thurtell read the appropriate prayers in a distinct and audible voice, and seemed fully impressed with the importance of this solemn rite. At its conclusion, Thurtell turned round to Hunt, and grasped his hand repeatedly, and renewed, in the most forcible terms, the assurance of his perfect forgiveness of the past, and of his being about to die in peace and charity with all the world. The chaplain and Mr. Nicholson, the under sheriff, then retired from the chapel, leaving Mr. Wilson and the prisoner Thurtell alone, Hunt having previously been reconducted to his cell overpowered by his feelings. Mr. Wilson, turning to Thurtell, said, "Now, Thurtell, as there is no eye to witness what is passing between us but that of God, you must not be surprised if I ask you a question." Thurtell turned round, and regarded him with a look of surprise. Mr. Wilson continued—"If you intend to make any confession, I think you cannot do it at a better period than the present." Thurtell paused for a few moments, when Mr. Wilson went on to say, "I ask you if you acknowledge the justice of your sentence." Thurtell immediately seized both Mr. Wilson's hands, and pressed them with great fervour within his own, and said, "I am quite satisfied. I forgive the world; I die in peace and charity with all mankind, and that is all I wish to go forth upon this occasion."

The chaplain then returned to the prisoner, and offered him some further words of comfort, asking him, whether there was anything he could do to ease his mind with respect to his family and friends? Thurtell replied that he was anxious that the reverend gentleman should write to his father, and inform him of his extreme contrition, resignation and penitence, which Mr. Franklin promised faithfully to do. The unfortunate man uttered a short prayer, that the minds of his family might be strengthened under the deep affliction they must feel, and of which he had been the unhappy author.

At twelve o'clock precisely, Mr. Nicholson tapped at the door with his wand, as the signal that the hour of execution had arrived. Thurtell

Digitized by Google

immediately seized Mr. Franklin's hands, and thanked him, not alone for all the personal kindnesses for which he was indebted to him, but for that Christian spirit with which he had inspired him, and with which he was about to depart this world; and the chapel door being thrown open, the prisoner went forth with a steady and assured step. He looked round with perfect calmness. The distance from the chapel door to that leading to the scaffold was not more than ten yards, and thither he was accompanied by the chaplain, the under sheriff, Mr. Wilson, an assistant of Mr. Wilson's, and the upper turnkey. The church bell tolled as he advanced. On their arrival at the door, Thurtell again squeezed Mr. Franklin's hand, and again exclaimed, 'God bless you, sir; God bless you.' He then mounted the steps, preceded by the under sheriff and the executioner, and followed by Mr. Wilson and the head turnkey.

Thurtell, on taking his station under the gallows, looked round with a countenance unchanged by the awfulness of his situation. His manner was firm and undaunted, at the same time that it betrayed no unbecoming levity. After regarding the crowd for a moment, he appeared to recognise an individual beneath him, to whom he bowed in a friendly manner. Previously to his mounting the scaffold, he had begged that as little delay as possible might take place in his execution, after his appearance upon the platform, and he now repeated the request to the executioner. His hands, instead of their being confined in the customary manner with cord, were held together by handcuffs, and his arms were not pinioned. He was still ironed, as he had been since his conviction, his shackles consisting merely of a moderate-sized chain, which was confined at his ankles, and held up to his waist by a Belcher handkerchief, tied round his middle. He was respectably attired in mourning, and wore a pair of black gloves on his hands. The moment he placed himself under the fatal beam, the executioner commenced the performance of his office, by taking off his cravat. He stood perfectly calm and collected while this was going on, and held up his head, in order that it might be the more easily removed. A white cap was then put on his head, and drawn over his eyes; but it was so thin as still to enable him to look about him; and he appeared anxiously to avail himself of the opportunity afforded him, by quickly looking round in all directions. As the clock sounded the last stroke of twelve, the rope was placed round the neck of the unhappy convict, and while the executioner was attaching the other end to the beam above, he looked up, and turning to him, begged him to "give him fall enough." The hangman replied, "that he might be assured he should have plenty of fall, and that all would be right." Thurtell next turned to Mr. Wilson, and repeated the same request; and that gentleman assured him, that his wishes had been fully attended to. All being now in readiness, Mr. Wilson drew close to the prisoner, and, squeezing his hands, exclaimed, "Thurtell, God Almighty bless you:" the prisoner pressing his hands in return, responded, "God bless you, sir."

Mr. Wilson then stood back upon some boards placed immediately behind the drop, and the executioner having previously retired, the under sheriff, with his wand, gave the last fatal signal, the drop suddenly fell, and the unhappy man was in an instant dead. His sufferings were but momentary, for, with the exception of a few convulsive motions of his hands and legs, he seemed to be deprived of all sensation. Thus perished, in an untimely

Digitized by Google

manner, a man, who, but for untoward circumstances and the violence of his passions, might have been the pride of his family.

During the whole of this appalling ceremony there was not the slightest symptom of emotion discernible in his features; his demeanour was perfectly calm and tranquil, but though his fortitude was thus conspicuous, it was evident, from the alteration in his appearance, that in the interval between his conviction and his execution he must have suffered much. He looked careworn; his countenance had assumed a cadaverous hue; and there was a haggardness and lankness about his cheeks and mouth, which could not fail to attract the notice of every spectator.

There were many in the crowd who looked upon him with an eye of the greatest commiseration for his youth and manly appearance; but it cannot but be obvious that such a feeling must be considered to have been thrown away, upon a wretch capable of a crime like that of which he was guilty.

We cannot close our notice of this case, without bringing under the attention of the reader a report which was in circulation for a considerable period after the last sentence of the law had been carried out on this unhappy man, and which obtained almost universal credit. We have already alluded to Thurtell's connexion with the sporting world, and especially with that portion of it which patronised the manly exercises of the "Ring." Admirable as we shall ever hold that custom to be, which has been so often cried down, but which has always had for its object the maintenance of those principles, by which the courage of the British nation has been in no small degree supported, in opposition to that frightful and un-English alternative, "the knife," we cannot but admit that some of the members of the body, through whose instrumentality those principles have been sought to be upheld, have at times exhibited themselves to be unworthy the notice and patronage which they have received. It would appear that Thurtell, in his acquaintance with fighting men, had so far obtained their esteem, that even after his commission of a crime which should have been most detestable in their eyes, and in the sight of every man of honest principles, some of them volunteered to assist to perform an act which would certainly have been unprecedented, had it been carried into effect. It was neither more nor less than to bear him away from the scaffold, before his execution, in defiance of the law, and in the face of the vast mob, which, it was known, would be collected on the occasion of his execution, the confusion produced by which, however, they well knew would aid rather than oppose their object. The volunteers from a body so limited as the members of the prize ring, it must be obvious, would be too few to put this design into execution without the assistance of others; and the means of procuring that assistance was yet to be obtained. With this object a communication was opened with the friends of the prisoner, before his trial; but the sum demanded, which was said to be 500*l.*, not being forthcoming, the plan was given up; although not until the very morning of the day, on which the execution took place, for up to that time it was believed probable that the demand would be complied with. It was reported, also, that the scheme proposed was communicated to Thurtell by a confidential friend, and that he, knowing the facility with which the few javelin-men, who were mostly aged and decrepit, in whose care the preservation of the peace and of the limits without the scaffold was reposed, could be over-

Digitized by Google

powered, fully believed, *up to the moment of his execution*, that it would be carried into effect. The extreme calmness of demeanour of the unfortunate prisoner at the place of execution, and the confidence which he displayed, added to the anxiety which he exhibited when the ceremony approached its fatal termination, favour this belief; and although his conduct in the gaol was of a character to lead to the supposition that he was in reality prepared to meet that death which he was doomed so soon to receive, it is by no means unlikely that he was at the same time treasuring up in his own mind the possibilities of his escape from the fate which awaited him.

With regard to the inducement which we have already noticed as having been generally believed to have led the wretched man on to the commission of so foul a crime, namely, the hope of procuring a large booty; for the supposed "bank" of Mr. Weare was generally believed to amount to nearly 1,000*l.*; from the testimony of the witness Probert, it would appear that he was unsuccessful in his object, while at the same time the observation made by Thurtell, on their going to search the body, (itself a corroborative fact,) that he had got all except the pocket-book, clearly exhibits that the anticipation was that which we have pointed out. Where or how the "bank" was disposed of, has never been shown; but there were not wanting those among the companions of Probert and Hunt, who suggested that it had been in reality found, and hidden by Thurtell, until an opportunity was afforded for its removal, unknown to his companions in the plot. It is a well ascertained fact, that he was not previously in possession of means sufficient to defray the expenses of a defence, which was known to have cost a very large sum of money; and it was very generally believed that the produce of the double robbery of Mr. Weare, and of the prisoner's companions, from whom he kept their share of the booty, (if the suggestion thrown out be well founded,) was applied to the payment of his attorney's bill.

We have only to add that Hunt was reprieved, and was subsequently ordered to be transported for life. It was for some time reported that he had died on his voyage to Australia; but he in fact arrived in Sydney in good health; and by his excellent conduct while there procured for himself a ticket of leave, by which he was exempted from all the immediate consequences of his conviction, although he was not absolutely restored to freedom. He was subsequently appointed chief constable at Paramatta, a large town in the interior, when he became generally well liked from his quiet manners; and it has been reported that he died in the colony, within the last few years, but the truth of the rumour cannot be ascertained by reference to any document in this country. Probert met the fate which he so justly deserved within a short time of his escaping from punishment for his connexion with this case, in a manner and for an offence which we shall hereafter in due course describe.

Digitized by Google

ALEXANDER PIERCE.

EXECUTED FOR MURDER.

ALTHOUGH the offence for which this person was executed did not occur within the district of our own country, yet as the malefactor was a British subject, the particulars of the horrid deed of which he was guilty, and which was of a nature most disgustingly appalling, may not be considered out of place in our catalogue.

In the month of November 1823, the prisoner surrendered himself at a place called Macquarrie Harbour, in Van Diemen's Land—of which place it was the penal settlement, and which was therefore inhabited only by persons twice transported, and the guards necessary to keep them in subordination—and charged himself with having been guilty of the murder of one Cox, a convict, who had escaped with him from the same settlement only a short time before, and whom he had despatched, for the purpose of preserving himself from starvation by devouring his flesh. It would be useless for us to go into a detail of the circumstances proved on his trial at Hobart Town on the 21st June 1824, which were of a nature far less horrible than those which he confessed immediately before his execution for the offence with which he charged himself.

This confession was in the following terms. "I was born in the county of Fermanagh, in the north of Ireland, where in the 26th year of my age I was convicted on a charge of stealing six pairs of shoes, and received sentence to be transported for seven years. I arrived at Hobart Town, in the ship Castle Forbes, and was assigned to Mr. John Bellenger, with whom I remained about nine months, at the expiration of which time I was returned to the government superintendant, in consequence of some misconduct of which I had been guilty. In a few months afterwards, I was assigned to a constable named Cane; but I had stayed with him only sixteen weeks, when being carried before a magistrate for some offence, of which I had been guilty, I was ordered to receive fifty lashes, and to be returned again to Crown labour. I was subsequently again assigned to a Mr. Scattergood, at New Norfolk, but I absconded from his service into the woods, where I joined Laughton, Saunders, Latton, and Atkinson, who were at large in the bush. After about three months spent in 'ranging,' I surrendered upon a proclamation issued by the Governor, and was pardoned; but I shortly afterwards forged some orders, upon which I obtained property. On learning that the fraud was discovered, I was induced once more to make off, and I did so; but after a stay of about three months in the woods, I was taken by a party of the 48th regiment, and being tried for the forgery, was found guilty, and ordered to be transported to the Penal Settlement at Macquarrie Harbour, for the remainder of my original sentence. I was not there more than a month before I made my escape with seven others, named Dalton, Traverse, Badman, Matthews, Greenhill, Brown, and Cornelius. We all kept together for about ten days, during which we ate nothing but our kangaroo-skin jackets, and then we were nearly exhausted with hunger and fatigne. On the eleventh night, we began to consult what was best to be done for our preservation, and we made up our minds to a dreadful result. In the morning we missed three of our company, Dalton, Brown, and Cornelius, who, we con-

Digitized by Google

cluded, had left us with an intention of returning, if possible. We then drew lots, which of us should die; and the chance fell on Badman. I went with one of the others to collect dry wood, to make a fire, during which time Traverse had succeeded in killing Badman, and when we returned, he had begun to cut him up. We dressed part of the flesh immediately, and continued to use it as long as it lasted. We then drew lots again, and it fell to the fate of Matthews. Traverse and Greenhill killed him with an axe; we cut the flesh from his bones, carried it on, and lived upon it as long as it lasted. By the time it was all eaten, Traverse, through fatigue, fell lame in his knee—so much so, that he could not proceed; Greenhill proposed that I should kill him, which I agreed to. We then made the best of our way, carrying the flesh of Traverse between us, in the hope of reaching the Eastern settlements while it lasted. We did not however, succeed, and I perceived Greenhill always carried the axe, and thought he watched an opportunity to kill me. I was always on my guard, and succeeded, when he fell asleep, in getting the axe, with which I immediately despatched him, made a meal, and carried all the remaining flesh with me to feed upon. To my great disappointment, I was afterwards many days without food, and subsisted solely upon grass and nettle-tops, which I boiled in a tin pot that I brought with me from the settlement. At length I fell in with some natives' huts, from which apparently the inmates had just retired; and there I collected some entrail, and bits of kangaroo, which afforded me a meal. Two days afterwards, when nearly exhausted, I came in sight of a hut, which proved to be M'Guire's near the High Plains. I staid there a fortnight, and made up my mind to surrender myself to Captain Wood, a magistrate on the river Clyde; but on my way thither, I met Davis and Churton, who were then desperadoes, and living at the Shannon hut. They wished me to join them, to which I agreed. In a few weeks we were all taken, near Jericho, by a party of the 48th regiment, and brought into Hobart town jail; Churton and Davis were tried, found guilty of capital offences, and suffered death. It was my fate to be returned to the Penal Settlement. I again made my escape with Thomas Cox, who eagerly pressed my departure. I had irons on at the time; and when we had proceeded some distance, Cox knocked them off with an axe he had brought with him, and we made the best of our way through a thicket, which was very wet. At night we tried to make a fire, but could not. We travelled on several days without food, except the tops of trees and shrubs, until we came upon King's River; I asked Cox, if he could swim; he replied he could not; and I remarked, that had I been aware of that, he should not have been my companion. The arrangements for crossing the river created words, and I killed Cox with the axe: I ate part of him that night, and cut the greatest part of his flesh up in order to take on with me. I swam the river with the intention of keeping the coast round to Port Dalrymple, but my heart failed me, and I resolved to return and give myself up to the commandant. I threw most of the flesh away; one piece I carried in my pocket, to show the commandant that Cox was dead. I confessed that I had killed him, and accompanied a party in a boat to bring up his remains, which was done."

The prisoner underwent the extreme penalty of the law on the following morning, for the detestable crimes of which he had been guilty. We regret to say, however, that this is not a solitary instance of persons in the situation of Pierce resorting to similar means for the preservation of their lives.

Digitized by Google

HENRY FAUNTLEROY.

EXECUTED FOR FORGERY.

THE station in society which was occupied by this unfortunate gentleman, together with the long established respectability of the banking-house in which he was a most active partner, and the vast extent of the heartless forgeries which he committed, gave to his case an intensity of interest, which has rarely been exceeded.

The apprehension of Mr. Fauntleroy took place on the 10th of September 1824, when he was taken into custody on a warrant, issued in consequence of information being lodged at Marlborough-street police-office, that it had been discovered that in the month of September 1820, stock in the three per cents. to the extent of 10,000*l.*, which stood in the name of himself, J. D. Hulme, and John Goodchild, as trustees for Francis William Bellis, had been sold out under a power of attorney, to which the names of Mr. Fauntleroy's co-trustees, and of one of the subscribing witnesses, had been forged. The name of the firm with which Mr. Fauntleroy was connected was Marsh, Stracey, Fauntleroy, and Graham, and their banking-house was situated in Berners-street, where they enjoyed no inconsiderable portion of public patronage; and the apprehension of Mr. Fauntleroy, on one charge, no sooner became generally known, than, on inquiries being made, it was found that he had, under similar circumstances, sold out stock to the enormous amount of 170,000*l.*, since the year 1814, the whole of which he had converted to his own use. The most extraordinary degree of interest was, in consequence, exhibited, and the public, unconscious of the degree of mischief which might be apprehended, became so alarmed that a run on the banking-house took place, which was checked by a suspension of payments, and eventually by a commission of bankruptcy.

Meanwhile Mr. Fauntleroy's private character and conduct became the subject of general comment in the newspapers, and exaggerated accounts of his depravity of habit were published. He was described as a licentious libertine, and as a deep and determined gamester, and it was alleged that his extravagance knew no bounds. His private life was also inquired into, and it was found that he had been married to a young lady of respectable family named Young, by whom he had previously had a child; but that after his marriage, he had never lived with his wife; and it is not a little remarkable, that it was for a forgery, by means of which his wife's family was defrauded, that he underwent the final dreadful sentence of the law.

His trial took place at the Old Bailey, on the 30th of October 1824, when he was indicted for forging a power of attorney for the transfer of stock in the three per cent. consols, to the amount of 5,000*l.*, with intent to defraud Frances Young. As early as seven o'clock in the morning the doors leading to the court-house were thronged with persons anxious to obtain a glimpse of the prisoner; and on the arrival of the judges, before whom the unfortunate gentleman was tried, every corner of the court was filled with spectators. The Attorney-General was employed to conduct the case for the prosecution, and in his opening address to the jury, he

Digitized by Google

described the prisoner as the acting partner in the house of Messrs. Marsh and Co. Mr. Fauntleroy, the father of the prisoner, had become a partner in that firm, at the period of its establishment, and had continued so up to the time of his death, which took place in the year 1807. The prisoner was then admitted into the concern, and became a most active member in carrying on its extensive transactions. In the year 1815, Frances Young, of Chichester, a customer of the house, lodged in their hands a power of attorney, to receive the dividends on 5,450*l.* stock, invested in her name in the three per cent. consols. The dividends were regularly handed over by the banking-house; but it was found, that soon after the period mentioned, another power of attorney, authorising the prisoner to sell the stock, was presented to the bank, and the sale was effected by him. To this power the prisoner had forged the names of Frances Young, and of two witnesses to it. But the most extraordinary part of the case was, that among the prisoner's private papers, contained in a tin box, there had been found one in which he acknowledged his guilt, and adduced a reason for his conduct. The Attorney-General then read the paper, which presented the following items, &c.:—De la Place, 11,150*l.* three per cent. consols; E. W. Young, 5,000*l.* consols; General Young, 6,000*l.* consols; Frances Young, 5,000*l.* consols; H. Kelly, 6,000*l.* consols; Lady Nelson, 11,995*l.* consols; Earl of Ossory, 7,000*l.* four per cents; W. Bowen, 9,400*l.* four per cents; — Parkins, 4,000*l.* consols. Sums were also placed to the names of Mrs. Pelham, Lady Aboyne, W. R. and H. Fauntleroy, and Elizabeth Fauntleroy; and the learned gentleman observed, that all the sums were added together, and the sum total, 120,000*l.*, appeared at the foot of this list in the prisoner's hand-writing. The statement was followed by this declaration:—

"In order to keep up the credit of our house, I have forged powers of attorney for the above sums and parties, and sold out to the amount here stated, and without the knowledge of my partners. I kept up the payment of the dividends, but made no entries of such payments in our books. The Bank began first to refuse to discount our acceptances, and to destroy the credit of our house: the Bank shall smart for it."

The Attorney-General then called his witnesses, who confirmed in every point his statement of the case.

On being asked what he had to say in his defence, the prisoner read from a paper the following address:—

"My lord, and gentlemen of the jury,—Overwhelmed as I am by the situation in which I am placed, and being uninformed in what manner I should answer the charges which have been alleged against me, I will endeavour to explain, so well as the poignancy of my feelings will enable me, the embarrassments of the banking-house in which I have been for many years the active and only responsible partner, and which have alone led to the present investigation; and although I am aware I cannot expect to free myself from the obloquy brought upon me by my anxiety to preserve the credit and respectability of the firm, still I trust that an impartial narrative of the occurrences will obtain for me the commiseration of the well-disposed part of the community.

"Anticipating the Court will extend its indulgence to me, I will respectfully submit such observations as I think will tend to remove from influenced minds those impressions, which, with sorrow I say, must have

Digitized by Google

been made upon them by the cruel and illiberal manner in which the public prints have untruly detailed a history of my life and conduct; hoping therefrom I may deserve your compassion, and although I may be unable to justify my proceedings, and secure my liberation, by a verdict of the jury, yet they may be considered, in the mercy of the court and a discerning public, as some extenuation of the crimes with which I stand arraigned.

"My father established the banking-house in 1792, in conjunction with Mr. Marsh, and other gentlemen. Some of the partners retired in 1794, about which time a loss of 20,000*l.* was sustained. Here commenced the difficulties of the house. In 1796, Mr. Stracey and another gentleman came into the house with little or no augmentation of capital. In 1800 I became a clerk in the house, and continued so six years; and although during that time I received no salary, the firm were so well satisfied with my attention and zeal for the interest and welfare of the establishment, that I was handsomely rewarded by them. In 1807 my father died; I then succeeded him; at this time I was only twenty-two years of age, and the whole weight of an extensive, but needy, banking establishment devolved upon me; and I found the concern deeply involved in advances to builders and others, which had rendered a system of discounting necessary, which we were obliged to continue in consequence of the scarcity of money at that time, and the necessity of making further advances to those persons, to secure the sums in which they already stood indebted. In this perplexed state the house continued until 1810, when its embarrassments were greatly increased, owing to the bankruptcies of Brickwood and others, which brought upon it a sudden demand for no less a sum than 170,000*l.* the greater part being for the amount of bills, which our house had either accepted or discounted for those parties said to have become bankrupts. About 1814, 1815, and 1816, from the speculations with builders, brick-makers, &c. in which the house was engaged, it was called upon to provide funds to the extent of near 100,000*l.* to avert the losses which would otherwise have visited it from those speculations. In 1819 the most responsible of our partners died, and we were called upon to pay over the amount of his capital, although the substantial resources of the house were wholly inadequate to meet so large a payment. During these numerous and trying difficulties, the house was nearly without resources, and the whole burden of management falling upon me, I was driven to a state of distraction, in which I could meet with no relief from my partners, and, almost heart-broken, I sought resources where I could, and so long as they were provided, and the credit of the house supported, no inquiries were made, either as to the manner in which they were procured, or as to the sources from which they were derived. In the midst of these calamities, which were not unknown to Mr. Stracey, he quitted England, and continued in France, on his own private business, for two years, leaving me to struggle as well as I could with difficulties almost insurmountable. Having thus exposed all the necessities of the house, I declare that all the moneys temporarily raised by me were applied, not in one instance for my own separate purposes or expenses, but in every case they were immediately placed to the credit of the house in Berners-street, and applied to the payment of the pressing demands upon it. This fact does not rest on my assertion, as the transactions referred to are entered in the books now in the possession of

Digitized by Google

the assignees, and to which I have had no access since my apprehension. These books, I understand, are now in court, and will confirm the truth of my statement; and to whatever account all the sums may be entered, whether to that of stock, or of Exchequer bills, or to my own private account, the whole went to the general funds of the banking-house. I alone have been doomed to suffer the stigma of all the transactions; but tortured as I have been, it now becomes an imperative duty to explain to you, gentlemen, and through you to the world at large, that the vile accusations heaped upon me, known to be utterly false by all those who are best acquainted with my private life and habits, have been so heaped upon me for the purpose of loading me with the whole obloquy of those transactions, from which, and from which alone, my partners were preserved from bankruptcy. I have been accused of crimes I never even contemplated, and of acts of profligacy I never committed; and I appear at this bar with every prejudice against me, and almost prejudged. To suit the purposes of the persons to whom I allude, I have been represented as a man of prodigal extravagance: prodigal indeed I must have been, had I expended those large sums which will hereafter be proved to have gone exclusively to support the credit of a tottering firm, the miseries of which were greatly accelerated by the drafts of two of its members to the amount of near 100,000*l.* I maintained but two establishments, one at Brighton, where my mother and sister resided in the season—the expenses of which to me, exclusive of my wine, were within 400*l.* per annum, and one at Lambeth, where my two children lived, from its very nature private and inexpensive, to which I resorted for retirement, after many a day passed in devising means to avert the embarrassments of the banking-house. The dwelling-house in Berners-street belonged solely to my mother, with the exception of a library and single bed-room. This was the extent of my expenditure, so far as domestic expenditure is concerned; I am next accused of being an habitual gambler, an accusation which, if true, might easily account for the diffusion of the property. I am, indeed, a member of two clubs, the Albion and the Stratford, but never in my life did I play in either, at cards or dice, or any game of chance; this is well known to the gentlemen of these clubs—and my private friends, with whom I more intimately associated, can equally assert my freedom from all habit or disposition to play. It has been as cruelly asserted, that I fraudulently invested money in the funds to answer the payment of annuities, amounting to 2,200*l.* settled upon females. I never did make any such investment; neither at home or abroad, in any funds whatever, have I any investment; nor is there one shilling secretly deposited by me in the hands of any human being. Equally ungenerous, and equally untrue it is, to charge me with having lent to loose and disorderly persons large sums which never have, and never will be repaid. I lent no sums but to a very trifling amount, and those were advanced to valued friends. I can, therefore, at this solemn moment declare, most fervently, that I never had any advantage beyond that in which all my partners participated in any of the transactions which are now questioned. They indeed have considered themselves as partners only in the profits, and I am to be burdened with the whole of the opprobrium, that others may consider them as the victims of my extravagance. I make this statement not with a view to criminate others, or to exculpate myself; but borne down as I am by calamity, I will not consent to be

Digitized by Google

held out to the world as a cold-blooded and abandoned profligate, ruining all around me for the selfish gratification of vice and sensuality, and involving even my confiding partners in the general destruction. Gentlemen, I have frailties and errors enough to account for. I have sufferings enough, past, present, and in prospect; and if my life were all that was required of me, I might endure in silence; though I will not endure the odium on my memory, of having sinned to pamper delinquencies to which I never was addicted. Thus much has been extorted from me by the fabrications which have been cruelly spread amongst the public,—that very public from whom the arbiters of my fate were to be selected. Perhaps, however, I ought to thank the enemy who besieged the prisoner with his slanders, that he did so whilst my life was spared to refute them, and that he waited not until the grave, to which he would hurry me, had closed at once on my answer and my forgiveness. There is one subject more connected with these charges to which I am compelled to advert, and I do so with great reluctance. It has added to the other charges made against me, lest the world should think there was any vice in which I was not an adept. I have been accused of acting treacherously towards the female who now bears my name, having refused to make reparation until threatened by her brother, and of having deserted her at a moment when she had the greatest claim on my protection. Delicacy forbids me entering into an explanation on this subject further than to declare, that the conduct I adopted on that occasion was uninfluenced by the interference of any individual, and arose, as I then considered, and do still consider, from a laudable and honourable feeling on my part; and the lady's brother, so far from coming forward at the time alluded to, was on service in the West Indies. Could all the circumstances be exposed, I feel convinced that every liberal-minded man would applaud my determination; and I feel satisfaction in saying, that the lady in question has always been, and still is actuated by the best feelings towards me. I have now to apologise to the court for having entered so much at length into the statement of my unfortunate case, and, in conclusion, I have to express my perfect confidence that it will receive every favourable consideration at your hands; and I fully rely that you, gentlemen of the jury, will give an impartial and merciful decision."

The unfortunate gentleman having completed the reading of this document, sat down, and wept with much agitation. Seventeen gentlemen of the highest respectability were then called, and they all attested their high opinion of his honour, integrity, and goodness of disposition, and that he was the person whom, of all others, they would have supposed incapable of a dishonourable action. During their examination the prisoner buried his face in his handkerchief, apparently anxious to conceal his features from their view.

In summing up, the judge told the jury, that as the evidence did not show the forgery to have been committed within their jurisdiction, they, being a London jury, would have to decide on the count for uttering; and after twenty minutes' consideration they returned a verdict—Guilty of uttering—Death.

Every exertion was used by Mr. Fauntleroy's counsel, his case being twice argued before the judges, upon points of law; but both decisions were against him, and on the 30th of November, 1824, his execution took

Digitized by Google

place. The number of persons assembled on the fatal day was estimated at nearly one hundred thousand! Every window and roof which could command a view of the dreadful ceremony was occupied, and places from which it was impossible to catch a glimpse of the scaffold were blocked up by those who were prevented by the dense crowd before them from advancing further.

At a quarter before eight o'clock, the sheriffs arrived at Newgate, and proceeded immediately to the prisoner's room. The prisoner gently bowed to them on perceiving that they were present, but made no observation. Besides the Ordinary of Newgate, the Rev. Mr. Cotton, there were the Rev. Mr. Springett and Mr. Baker with the prisoner, the former of whom had remained all night.

Mr. Fauntleroy was dressed in a black coat, waistcoat, and trousers, with silk stockings and shoes. The demeanour of the unhappy man was perfectly composed. His eyes continued closed, and no emotion was visible in his countenance. His appearance had undergone little or no change since the trial. The necessary arrangements having been completed, the sheriffs moved forward, and Mr. Springett and Mr. Baker each took hold of one of the prisoner's arms; and thus accompanied, he followed the sheriffs and the ordinary. He never turned his head to the right nor the left till he reached the foot of the steps leading to the scaffold; and the moment he appeared the vast crowd took off their hats. In less than two minutes after the criminal ascended the platform, everything was prepared for his execution. Mr. Cotton now placed himself before the prisoner, who stood with his face towards Ludgate Hill, and commenced reading the passage—"Yet, O Lord God, most Holy! O Lord, most mighty! O holy and most merciful Saviour! deliver us not into the bitter pains of eternal death. Thou knowest, Lord, the secrets of our hearts;" towards the conclusion of which the trap-door fell, and the unhappy man died without a struggle.

An almost universal sympathy was excited in his favour, in consequence of the melancholy termination of his career; but many, even to the present day, have but too powerful reasons to mourn the crimes of which he was guilty, depriving them as they did, in many instances, of every shilling of what otherwise would have been comfortable competencies, sufficient to maintain them in respectability through life.

GEORGE ALEXANDER WOOD, AND ALEXANDER WELLESLEY LEITH.

INDICTED FOR MANSLAUGHTER.

THE scene of the melancholy event by which one youth, a member of a noble family, was hurried into an untimely grave, and two others were brought to the bar of a public court of justice upon a charge of manslaughter, was at Eton College, and it occurred on Monday the 28th February, 1825.

On the 9th of March, 1825, George Alexander Wood, son of Colonel Wood, and nephew of the Marquis of Londonderry, and Alexander Wellesley Leith, were placed at the bar at the Aylesbury Assizes, charged with killing and slaying the Hon. F. Ashley Cooper, son of the Earl of Shaftes-

Digitized by Google

bury. The circumstances will be best explained as they appeared in evidence before the coroner.

On Sunday, the 27th of February, about two o'clock, two young gentlemen, scholars at Eton, the Hon. F. A. Cooper and Mr. Wood, were in the play-ground, when same words arose between them. From words they proceeded to blows; and they had fought for several minutes, when the captain came up and separated them. It was subsequently determined that they should meet on the following afternoon, and terminate their differences by a pugilistic contest. Many of the scholars were present to witness the battle; the combatants stripped at four o'clock on Monday afternoon, and commenced fighting. Mr. Cooper was under fifteen years, and his opponent, who was half a head taller, was near seventeen. Mr. Wood had the advantage in point of strength; but the quickness and precision of Mr. Cooper were remarkable for one so young, and he declared that he would never give in. In the eighth, ninth, and tenth rounds, he became weak and exhausted, and it was then evident he was not a match for Mr. Wood. Some of the "backers" had brought a quantity of brandy in bottles into the field; and the second of Mr. Cooper having, in the eleventh round, poured a portion of it down Mr. C.'s throat, he recovered his wind and strength. The young men continued fighting from four till nearly six o'clock; and when they were in a state of exhaustion, they were plied between the rounds with brandy. They fought about sixty rounds; and at the end of the last round, Mr. Cooper fell very heavily upon his head, and never spoke afterwards. He was carried off the ground to his lodgings, at the house of the Reverend Mr. Knapp, by his brothers, who were present at the fight. He was put to bed; but no medical assistance was sent for till four hours had elapsed: shortly afterwards he expired.

At two o'clock on Tuesday, a jury assembled to hold an inquest on the body. The jury and coroner proceeded to the house of the Reverend Mr. Knapp, and viewed the body. The temples, eyes, and upper part of the cheek-bones were very black, and there were other external marks of violence about the ribs, breast, &c. The following evidence as to the circumstances attending the battle was then taken:—

Christopher Teasdale.—"I am a student at Eton college; I knew the deceased—he was the son of Lord Shaftesbury; and I know his antagonist Mr. Wood, the son of Colonel Wood. I saw them set-to about the hour of four o'clock on Monday afternoon. I saw repeated blows, during the fight, given to Cooper, on different parts of the head: I remember, in one period of the fight, a severe blow being given on his temple; the deceased instantly fell, and lay on the ground about half a minute. There were loud shouts from Wood's party, in consequence of his being the best. It was a fair fight; I saw no unfair advantage taken. A young gentleman named Leith seconded the deceased; the fight lasted about an hour; the deceased's spirits were kept up in a most extraordinary manner by Leith giving him brandy in the eleventh and subsequent rounds. I remember that before the last round, Wood said he wanted to go to his tutor, Mr. Ottery, to attend his private business (studies), and he would make it up afterwards. Mr. Leith, the second, said, that as Wood wanted to go, he would appeal to the deceased's party, and hear what they had to say. The deceased's party exclaimed, 'We will have another round; we are in no hurry.' The parties fought another round, and the deceased at the conclusion fell from

Digitized by Google

a severe blow; Wood fell heavily on him. After the round, Wood said, 'he must go, and he would make it up.' Leith advised it to be made up on the spot, and directly the proposition was made the deceased fell back senseless. Wood walked up to the deceased and lifted his head, but I did not hear him say anything."

Other witnesses proved that the deceased was taken home to Mr. Knapp's, where he remained for some time under the care of his brother, and that after the lapse of some hours surgical aid was procured. It was then too late, however, and he died. On his body been opened, it was he found that he had died from the rupture of the blood-vessels on the brain.

Upon the arraignment of the defendants they pleaded Not Guilty, and the witnesses for the prosecution did not answer. Mr. Justice Gasalee having ordered their recognizances to be estreated, a verdict of Not Guilty was returned, and the defendants left the bar attended by Lord Nugent, Colonel Brown, Sir John Dashwood King, and other persons of distinction.

WILLIAM PROBERT,

EXECUTED FOR HORSE-STEALING.

THE reader will recognise in this criminal the participator with Hunt and Thurtell in the murder of Mr. Weare, and the witness who was examined on the trial of those offenders, who impeached his accomplices.

He was apprehended on the night of Friday the 18th of February, 1825, and conveyed to Bow-street office, on a charge of stealing a horse, the property of a man named Meredith, a miller, living near Ruarden in Gloucestershire. It appeared that the guilty wretch, after his discharge from Hertford jail, where he had been confined as an approver in order that his evidence might be secured at the trial of his companions in crime, wandered through the country without an object or a name, and followed by public execration. Reduced to the most abject state of misery, he at length found an asylum in the house of his aged mother at Ruarden. Meredith, the miller, was distantly related to him by marriage; and while paying him a visit, the unprincipled villain having seen and admired a mare which was in his possession, marked it for his own. Seizing a favourable opportunity, he carried the animal off with him to London, and there he disposed of her for 20*l.*, having assumed a fictitious name. He was, however, traced by the miller, and at length on the 18th February was taken into custody.

For this offence he was put on his trial at the Old Bailey on the 7th of the following month of April, and the evidence for the prosecution, which was clear and conclusive, having been gone into, the prisoner read the following defence from a written paper:—

"My lord and gentlemen of the jury,—If I have this day pleaded not guilty to the indictment preferred against me, it is not that I wish by subtleties to evade, or screen myself from the verdict and sentence which my country may award against me, but that I may have an opportunity to say something in this court, to evince to the public, that whatever may have been the unhappy circumstances of the latter days of my life, I was not driven into my present crime from depravity of disposition, but from

Digitized by Google

a species of fatal necessity, which had placed me far beyond the reach of all human assistance and charity. The appeal I now make is not with a view to lessen my past error that I unfortunately fell into, as there is a God on whom I alone rely for mercy; but I do beg of the jury to banish all former unfortunate circumstances from their minds. It cannot have escaped your notice, that immediately after and ever since my discharge from Hertford, the public animosity has been kept alive against me by the public press, which has reached every part of England. Wherever I went, even to the remotest village throughout the kingdom, I was spurned as an outcast of society; and the chief instrument which prevented my obtaining employment, or indeed effecting a reformation, was the public press, which has not slackened to follow me, and portray me to the world. As the victim of prejudice, I could scarcely move from one place to another without seeing myself noticed in the daily papers. Those of my former friends, who might otherwise have wished to continue their services towards me, shrunk back from an apprehension of public reprobation for being connected with one such as myself. Every door was shut against me, every hope of future support blasted. My country had spared my life, but individuals rendered that life of no value or utility to me. I was hunted down like a wild beast of the forest. With this desolation around me, and with these dreary prospects before me, I felt my fortitude forsaking me, and I knew not what course to pursue. Heaven and myself only know what I suffered. I was a prey to the most heart-rending care—I was a prey to a deep and intense feeling, the cause of which, I trust, it will not be necessary to refer to. I appeal to you, my lord and gentlemen, whether my situation was not most deplorable. Perhaps you will weigh in your own humane breasts the miseries which surrounded me, and what you would have done under similar circumstances. If you, gentlemen of the jury, should observe any features in my case deserving commiseration, then I trust you will express a sense of it to his lordship, and recommend me to mercy; and should you, my lord, concur in the same sentiments, then I humbly pray that your lordship will recommend me to the clemency of my gracious sovereign, as no former conviction appears on the record against me. On my way from the police-office to Newgate, my ears were stunned with the horrid yells of the populace, and my life threatened. Indeed, my lord and gentlemen of the jury, since the calamitous event that took place at Hertford, I have been a lost man, and at times on the eve of self-destruction. But the Almighty God has sustained me under my heaviest afflictions, and should his wisdom direct that my life is to be spared, the remainder of my days will be spent in atonement for past errors that I have fallen into. I hope I have not intruded too long upon your lordship's time. I felt it my duty to state to your lordship and the gentlemen of the jury, how miserable my life has been and the severe trials I have undergone since my discharge from Hertford: and likewise my innocent wife has suffered all privations, without comfort and without a friend to assist her, and even on the point of starvation, she having lately been brought to bed with an increase to the family, and no one to assist her in that trying moment or to render her any way comfortable; but, on the contrary, nothing but distress and trouble, and even at the present time destitute of friends and home. Such, gentlemen of the jury, has been, and is now, the situation of my wife. Indeed, my lord and gentle-

Digitized by Google

men of the jury, I have endeavoured to leave the country, and several times offered to work my passage over. But all my endeavours to accomplish my wishes have been unsuccessful. For the indulgence you have this day shown to me, by attending to the address I have now made, I feel greatly obliged; therefore, I cannot help reminding you, my lord and gentlemen of the jury, of the happiness I once possessed, and was ever ready to alleviate the distresses of my fellow-creatures, and to contribute to the support of charitable institutions. I hope I am more the object of commiseration than that of severe censure. I am aware, my lord and gentlemen of the jury, the whole country is against me; but that, I trust, will not bias your minds; as a trial by jurymen of my country does credit to the wise laws of the realm, and does not less reflect the same sensible feelings on my own mind. I therefore trust, if there should be any marks favourable in my case, you will give me the benefit."

He read the address with great composure, but in a low tone of voice. The judge having charged the jury, a verdict of Guilty was instantly returned.

On the 13th of the same month the prisoner was brought up to receive sentence, when he protested his innocence (so far as guilty intention went), stated that he was driven to the commission of the offence for which he was about to receive judgment by the greatest distress, and alluded in a feeling manner to the misery in which his wife and children were placed. The recorder, after observing that these topics should be reserved for another place, proceeded to pass the fatal sentence.

The convict continued in prison till the 14th of June, before the recorder's report was made to the king; and during this long period he had indulged the most sanguine hopes that his life would be spared. On being informed that he was ordered for execution on the following Monday, he felt satisfied, he said, that the public voice was in his favour, and that every one was surprised at the decision of the privy council. When told by a gentleman, who visited him, that he sustained his fate with less fortitude than any of his companions in affliction, (eight being left for execution out of thirty-seven reported,) he replied that that was not to be wondered at, for they were conscious of their guilt, and knew they could have supported themselves by other means than theft; but that he was absolutely impelled by dire necessity to commit the act for which he was about to suffer death—he must have done it or starved. He solemnly declared that he was completely ignorant of any circumstances connected with the murder of Weare, until after it had been effected, and that the confession of Hunt was in many of its points utterly false, particularly those which related to his (Probert's) wife. It was thought that he could have made some disclosure relative to some persons who were said to have been missing a short time before Weare's murder; but in justice to the memory of the wretched man, it must be stated that there are no grounds for believing him to have been concerned in any transaction of a murderous nature, but that in which his own evidence at Hertford proves him to have been implicated.

When he ascended the platform on the fatal morning, the 20th of June, 1825, his limbs were completely palsied, and his agitation dreadful. After the noose was tied, he moved as far as he was able, and turning himself, raised his hands in quick and tremulous motion, and so continued till

Digitized by Google

the ordinary had taken his final leave, and the falling of the platform closed the scene.

His fellow-sufferers were two men, named Sargeant and Harper, for the same offence of horse-stealing, and another, named Smith, for burglary. The four others who were at the same time ordered for execution met their fate on the Monday following.

On this occasion the concourse of spectators was immense, the windows opposite being crowded as early as three o'clock in the morning, and chiefly with females.

CHARLES LYNN.

TRIED FOR MURDER.

THE following are the circumstances attending a murder committed at Whaddon Chase, Buckinghamshire, in the month of January 1825, which at the time of its perpetration attracted a considerable portion of the public attention.

The information which was first published of this remarkable case, was that on the evening of Wednesday, the 5th of January, two young men took outside places by the Express coach, from London for Brick-hill, which is situated about nine miles from Stoney Stratford; and that having arrived at that place, they slept at the White Lion Inn, and on the following morning walked on towards Fenny Stratford, one of them carrying a gun in a green baize bag, while the other had a box on his shoulder. On their being overtaken by the Eclipse coach, they mounted it, and rode as far as Whaddon Chase, where they both suddenly jumped down, and one of them, carrying the gun, ran into the Chase, which is a wild, unfrequented spot, intersected by many roads, whither the other followed him. In a short time after, a labouring man named Meechan, who was employed in mending a hedge, heard a sound which appeared to him like a cry of murder. He listened, and distinctly heard the cry repeated in the direction of a place called Snell's Copse; and on his looking towards that spot, he saw two men whom he had before observed walking in the neighbourhood, one of them with an upraised gun, with which he suddenly felled his companion to the ground. The stock of the gun appeared to be broken by the blow, and then he saw the same person repeatedly strike the fallen man with the barrel. He was so alarmed as to be unable to render any assistance to repel the murderous attack; and he presently saw the man who, as he supposed, had killed his companion, change his coat, which was a blue body-coat, for a fustian shooting-jacket, and walk away. He felt totally unable to follow him; but as soon as his alarm had in some degree subsided, he ran to his master's house, which was situated about two hundred yards off, and gave information of what he had seen. Mr. Clarke, his employer, and his three sons, instantly accompanied him in pursuit of the murderer; and after an unavailing search of nearly two hours' duration, they at length saw him emerge from a thick copse, when they instantly seized and secured him. They conveyed him to the Haunch of Venison public-house at Whaddon, where he underwent an examination before Mr. Lowndes, Mr. Smith, and Major Mansel, magistrates of the county, to whom he stated that his name was Charles Lynn, and that

Digitized by Google

that of his late companion was Abraham Hogg. A coroner's inquest was held on the body of the deceased on the following day; and then it appeared that the prisoner was the son of a respectable woman residing at No. 4, Morehall-place, Vauxhall, where she kept a confectioner's shop, and that he, as well as the deceased, had been employed in the vinegar manufactory of Sir Robert Burnett, at Vauxhall, as coopers. Since his apprehension he had conducted himself in a most violent and extraordinary manner. He had repeatedly attempted to destroy himself by dashing his head against the walls and furniture of the room in which he was confined; and on his being informed that his late companion was dead, he answered, "I am glad of it, for he should not have had any of the money." He afterwards attempted to kill himself by drinking boiling water from a tea-kettle, and was only prevented from attaining his horrid purpose by the vigilance of the constables in whose charge he had been placed. He then begged to be permitted to write a letter to his mother; but having written "Dear mother, I have committed murder," he appeared dreadfully agitated, threw down the pen, and exclaiming, "O that I could kill myself!" attempted to strangle himself with his neckcloth. He was now handcuffed, in order to prevent his making any fresh attempt; but in spite of the utmost exertions of the officers, he obtained possession of the snuffers, with which he tried to stab himself in the throat; and having been disappointed in this project, he swallowed two half-crowns, hoping to choke himself. The evidence which was taken before the coroner went to prove the circumstances which we have stated; and witnesses having also deposed as to the finding of the body, and to the injuries which appeared to have been inflicted, and which were obviously the cause of death, a verdict of "Wilful murder against Charles Lynn" was returned.

The prisoner was then removed to Aylesbury jail, but not until he had made repeated new attempts to destroy his own life. He viewed the body of his murdered victim without the smallest degree of agitation or excitement; and on his arrival in the prison, he dictated a letter to King, the jailer, for his mother. He was subsequently visited by Mr. Ashfield, the chaplain of the jail, by whom he was brought to a proper sense of his situation. His mother, sister, and a clerk in Sir R. Burnett's establishment, subsequently reached Aylesbury jail from London, and at the entreaty of the first-named individual, the wretched prisoner made the following singular statement as to his inducement to commit the horrid crime of which he had been guilty. He said, "I and Abraham went to the Saracen's Head, Snowhill, and got upon the Liverpool coach: I saw two men in deep conversation with him, and two gentlemen were on the coach; the two men who spoke with Abraham I knew to be resurrection-men; and I was convinced that Abraham was agreeing to sell my body to them for the surgeons, two of whom were on the coach. Just before the coach started, one of the resurrection-men, who was dressed like a sailor, got a bottle of gin, and on the road they wanted me to drink two glasses for their one. The men afterwards threw the bottle away, but purchased another on the road. I and Abraham got down at the White Lion, Brick-hill, and the landlord and others were talking about robberies and murders: I did not like the conversation, and I went and slept at the public-house opposite. On the following morning I went to the White Lion, and the landlord said to me,—'It's lucky for you that you were not up sooner, or your body

Digitized by Google

would have been half way to London by this time.' I got on another coach with Abraham, and passing by a common, I jumped down and ran away; Abraham followed with my gun. When I got near a wood I heard the sound of horns and trumpets, and I thought the resurrection-men were after me, and that Abraham intended to kill me, and I am sure if I had not killed him he would have killed me." This remarkable statement was reduced to writing, and was produced at the trial of the unfortunate prisoner, which took place at Aylesbury, on Tuesday, the 8th of March, in the same year.

The evidence, which was then adduced, was precisely similar in its details to that which we have stated in substance; and the prisoner in his defence addressed the jury in an unconnected strain, repeating his belief that an intention existed to murder him. Witnesses were then called, who swore that they believed that the prisoner was insane, and the jury returned a verdict, finding the prisoner guilty of killing the deceased, but declared that he was of unsound intellect at the time.

The prisoner was thereupon ordered to be detained during His Majesty's pleasure, and was subsequently confined in an asylum for lunatics.

It appears that the prisoner had been employed by Sir Robert Burnett from a very early age, and that he was always considered there to bear an excellent character. Hogg was also engaged in the same establishment, and was a constant companion of the young man, by whom he was eventually killed. A considerable degree of suspicion was excited against them on the discovery of the murder, in consequence of the sudden disappearance of one Mangan, alias "Long Dan," who was their fellow workman, and who having been seen last with Lynn, on Sunday the 2nd of January, at Manor-place, Walworth, had become suddenly missing. Every inquiry was made for him, and at length Lynn was questioned upon the subject, but he most solemnly declared his ignorance of the cause of his quitting his friends, as well as of his hiding-place; but the observation which he had made, that "Hogg should not have any of the money," for a considerable time favoured the suspicions which were entertained. At length, however, Mangan came forward, and stated that he had enlisted in the East India Company's service, for a reason which he refused to disclose; and Lynn's statement explained the meaning of the expression which he had used. The reason for Hogg and Lynn quitting their work, and going out of town by the Liverpool coach, however, yet remains concealed.

JAMES EVANS.

TRIED FOR THE MURDER OF THOMAS PRICE.

The scene of the mysterious death of Mr. Thomas Price was Manchester, where he carried on an extensive business, as a fustian manufacturer; the accused James Evans being in his employment, as warehouseman.

It would appear that on Friday, the 3rd February 1826, at about noon-time, the attention of some persons passing through Marsden-square, Manchester, was attracted to the premises occupied by Mr. Price, in consequence of its being discovered that smoke was issuing in considerable quantities from the window of a room on the first floor, occupied as a

Digitized by Google

counting-house. The greater part of the men employed on the premises were at this time absent, it being their dinner hour; but the alarm being spread some assistance was obtained, and several persons, having procured admittance to the house, attempted to force their way to the point at which the fire was burning. Their efforts were rendered for a considerable time unavailing, in consequence of the density of the smoke; but the windows on the stairs having been opened, the air became gradually cleared, and at length the door of the counting-house was reached. Upon it being pushed open, it was found that a number of pieces of fustian had fallen against it inside, and then through the dense clouds of vapour, in which the apartment was enveloped, the indistinct outline of burning goods was perceived. It was some time before any person could venture to explore the room, but the engines having arrived, any fire that existed was extinguished, and the vapour was by degrees dispelled. By this time, a report had become prevalent that Mr. Price had perished in the flames, and several persons, in consequence, now proceeded to ascertain how far it was justified. They had not searched long, before they found that the suggestion of the death of Mr. Price was well founded; although there was reason to believe, that it had been caused by other means than those of burning or suffocation. The removal of a half-consumed piece of fustian exposed the body of the unfortunate gentleman to view, his clothes being burnt, and his person blackened and scorched. He was quite dead, his head resting upon a piece of fustian, and his left arm being raised as if to ward off a blow. On his body being removed, appearances were perceived which induced a belief that he had been murdered, and that his premises had been set on fire to conceal the bloody deed. It was found that he had received a dreadful fracture on the left side of the skull, through which the brain protruded; and in the immediate vicinity of the spot where he lay, several small portions of the brain were observable, as if they had flown from his head, on his receiving the blow, by which injury was inflicted. A most minute examination of the room took place, but all search for the weapon with which the wound was given proved ineffectual. A supposition was raised that the deceased might have put an end to his existence by shooting himself, and that the wadding might have set fire to the goods, but the impossibility of such a circumstance became apparent. Mr. Price was a man of cheerful disposition, and unlikely therefore to commit suicide; besides which no pistol was found, and the wound was discovered to be of a nature which could not have been caused by a shot. The only remaining solution of the mystery therefore was, that which had been first suggested, that the unfortunate man had been murdered, however improbable it might appear that such a deed would be committed at noonday, in a building, in which there must have been other persons at the time, and which was situated in one of the most crowded places of public business.

At the coroner's inquest, which was held on the next day on the body of the deceased gentleman, Mr. Gresswell, a surgeon, gave evidence as to the cause of death of the deceased. He stated that there were two severe wounds on the head, one on the left side, and one on the right side, and that they appeared to have been given with some blunt instrument. This gentleman was of opinion, that it was possible that the wounds might have been produced by a blow from one of the axes carried by the firemen, on their proceeding to search the room,

Digitized by Google

and that they might have been given as well after as before death; but Mr. Jordan, another medical man, was of a contrary opinion, and thought that they had been given before death, and that a hammer was the instrument with which they had been inflicted. The other evidence which was adduced, and by which it was sought to implicate Evans, was that he was last seen with the deceased, at about one o'clock; and that at the time of the fire being discovered he exhibited the utmost apathy. It was proved also, that the deceased had purchased a hammer, a day or two before his death, which could not now be found; and that on the collar, neck-handkerchief, and shirt of the prisoner marks of blood were found, for the existence of which he did not attempt to account. A coat belonging to him, which was found in the counting-house, was also discovered to be similarly stained; and it was besides proved, that no axes were used by the firemen, on their being called to Mr. Price's premises, a fact which negatived the suggestion thrown out by Mr. Gresswell, and upon this evidence the jury returned a verdict of wilful murder against James Evans.

The prisoner was firm in his protestations of innocence, but he was immediately committed for trial to Lancaster Castle. The case subsequently excited a great degree of interest; and the most anxious curiosity was exhibited by the public to procure admittance to the court during the trial. The trial came on at the ensuing assizes at Lancaster, held in the month of March, when a verdict of Not Guilty was returned, and the prisoner was discharged out of custody.

The prisoner appears to have been respectably connected in Manchester, but we are unable to give any minute history of his life. The real circumstances attending the death of Mr. Price have since continued, and doubtless ever will remain, a mystery.

SAMUEL GILBERT.

INDICTED FOR ROBBERY.

THE case of this detestable villain is extraordinary in many respects, but particularly on account of the determined and effectual resistance offered by a young woman to the savage attacks of the prisoner, whose original intention was to violate her person, an object which he subsequently changed to that of robbery. The circumstances of the case as they were detailed by the prosecutrix, whose name is Charlotte Smith, exhibit a wonderful degree of perseverance on the part of the prisoner to secure his desires, and on the part of the young woman in resisting his foul attempt.

The case came on at the Taunton assizes, held on the 30th of March 1826, when the prisoner was indicted in the usual form for a robbery. It appeared that the prosecutrix was twenty-three years of age, and was the daughter of a decent clothier, living at about a mile out of Frome, and that the prisoner was a labourer, aged eighteen years, residing at no great distance from the same place, but that they were unacquainted with each other. On the second day of the fair at Frome (26th November 1825), the prosecutrix accompanied one of her brothers to that place, in search of some other relations. They went into the Castle, public-house, and there found the persons whom they sought with the prisoner. They remained a

Digitized by Google

short time, and then the prosecutrix got up to go home alone. She had not gone far before the prisoner came up with her, and addressed some conversation to her in a civil manner, and he accompanied her home to her father's house. They sat there together for a short time, her younger brother only being present, and then the prisoner asked her to return to the fair. She consented, and they walked together arm-in-arm, and while at the fair, he invited her to accompany him to the house of his aunt at Coal-ash-walk. She at first refused, but was subsequently induced to consent to his proposal, on his assuring her that he would see her safe home again. They proceeded on their walk together, but they had not gone far beyond the termination of the houses of the town, when the prisoner took her by the shoulders, and threw her down, accompanying this action with a very improper expression. She demanded to know whether he knew who she was, and he answered, "Yes;—Mr. Smith's daughter, and if you don't submit I'll murder you." Her answer was, that "she would die first;" and he then proceeded to take liberties. She screamed out, on which he thrust his fist into her mouth, and grasped her throat until he had almost choked her; but being convinced of the baseness of his intentions, she resisted him for three quarters of an hour, during which she still lay on the ground. At this period a man approached them, and having disengaged herself for a moment from the prisoner's grasp, she screamed for help. The man said, "Why, you murderous villain, you have got a woman there; are you going to kill her?" upon which the prisoner jumped up, and threatened to murder him if he did not go away. The prosecutrix now got up, but the prisoner threw her down again, and, in the presence of the man, continued his brutal liberties. The latter endeavoured to force him away, on which the prisoner flew at him with his fists. The girl ran to the man for protection, but he pushed her away from him, and then, thinking he would afford her no assistance she ran off as fast as she could. She had gone more than a mile, but in her alarm towards Warminster, instead of Frome, when the prisoner overtook her. He said that she was going wrong, but she thought the contrary, and said so, and then he repeated his determination to do what he pleased with her, saying, that if she did not give up, he would throw her into the river. She, however, again resisted him, and he took her towards the river in his arms. When they reached the bank, she cried for mercy, and he put her down, but immediately dragged her up a lane, and threw her over a gate. He there pulled her through some brambles, and into a ditch of mire, and swore what he would do to her. Having detained the wretched girl here for upwards of three hours, during which he beat her in an unmanly and brutal manner, she at length found herself becoming insensible, and taking some of the blood from her mouth, she showed it to him, and asked him how he could have the heart to do it. He said that he would be d—d if he cared, and that he would murder her if she did not give up. She said that she had a shilling in her pocket, and that she would give it to him if he would let her go, to which he replied that he would be d—d if he would not have it then, and without waiting for her to get it, he tore off her pocket, jumped upon her, and tore off her clothes. He dragged off her gown first, and then her under clothes, and there was no shape of clothes left. He then continued his barbarous treatment to her, by forcing her head under water, and keeping it there until she was

Digitized by Google

nearly drowned; and while she was so defenceless, he took away one of her ear-rings. On her raising her head, she heard a dog bark, and she exclaimed, to intimidate him, "The Lord be praised, here's my father!" and he then ran off. She followed in the same direction, because she did not know her way home, and at length, at three in the morning, she reached her father's house in a pitiable plight. In consequence of the injuries which she received, she remained bedridden during three weeks; and it was much longer before she recovered her health.

This detail of the frightful barbarity employed towards her by the prisoner produced a strong impression in court, and a verdict of Guilty was returned by the jury.

The prisoner subsequently escaped the capital punishment, which he richly deserved for this offence on a point of form, but upon being indicted for the assault with intent to commit a rape, he was again found Guilty, and sentenced to two years' imprisonment.

ALEXANDER AND MICHAEL M'KEAND.

EXECUTED FOR MURDER.

FEW cases have occurred, in which more deliberate and cold-blooded cruelty has been exhibited by the murderers, than in that which we are now about to detail, and for their participation in which these unhappy malefactors underwent the dreadful sentence of the law.

The victim of their crime was a defenceless and unoffending servant, named Elizabeth Bates, and the circumstances under which they deprived her of life are as follows:—

On the evening of Monday, the 22nd of May 1826, Alexander M'Keand entered the Jolly Carters, public-house, which was situated at Winton, near Worsley, in Lancashire, and was kept by a person named Joseph Blears; and being known to Mrs. Blears, the landlady, took a seat in the bar, and called for a glass of ale. Having been served, he placed it before him, but he drank none of it for half an hour, at the expiration of which time his brother Michael entered, and sat opposite to him. They appeared from their manner to be strangers to each other, and Michael was unknown to Mrs. Blears. The new-comer, almost immediately on his entry, called for some bread and cheese and ale; and then his brother Alexander also had some bread and cheese. For a time they sat together, but did not appear to be in conversation; but then Mrs. Blears having quitted the bar for a moment, on her return she found that they had shifted their seats to a sofa, and that they were closely engaged in whispering to each other. Her suspicions were alarmed, but she made no remark; and then Michael asked where her husband was. She answered, that he had gone to Manchester; and, in reply to a further inquiry, said that he would be back at about eight o'clock. They remained until his return, and then Michael invited him to drink. He at first declined, but on the man pressing him, he drank a glass of whiskey, and subsequently a second. The two M'Keands also drank whiskey, and then they called for some cider, and entered into conversation. In the mean time Blears, who had doubtless been hocussed, became quite overcome with the liquor he had drunk, and lay down on the sofa, where he went to sleep. After about

Digitized by Google

half an hour spent in whispering together, Michael inquired of Mrs. Blears, whether he could have a bed, as it was too late then to go to Manchester; and she answered, that he and his companion were welcome to the accommodation which her house afforded. They made some observations in reference to her husband being intoxicated, and then they desired to be conducted to their rooms. Betty Bates, the servant, was called to bring a candle, and she accompanied them up stairs. The circumstances immediately attending the murder of this poor girl were learned from a boy named Higgins, fourteen years of age, who was permitted, from motives of humanity, to live in Blears' house, and who slept in the room in which the bed intended for the two M'Keands was placed. It would appear that on their reaching the top of the stairs, the two men separated; and while Alexander went on with the servant, the other returned down stairs. The former was conducted to the room where Higgins was sleeping; and the boy, being awoke by the noise, looked from under the bed-clothes, and saw the man put his arm round the girl's waist. She resisted, and said, "Be quiet!" upon which, with great force, he threw her back on the floor, and did something which the boy could not see. The girl cried "Murder!" and succeeded in rising; but the fellow threw her back again, and then again did something under her ear, with his right-hand, in consequence of which, as it appeared to the boy, blood flowed over her bosom. The woman struggled very much, and cried out that she would mark him; but the boy being dreadfully alarmed, looked to see no more, but concealed his head beneath the bed-clothes. The murderer was doubtless disturbed by the movement of the boy, and directly approached the bed in which he lay, pressed his hand upon his mouth, as if intending to despatch him also. The servant at this moment, however, managed to rise, and stagger towards the door, and the villain instantly quitted the boy, and went in pursuit of her. Higgins at this moment, taking advantage of the diversion of the man's attention, succeeded in passing him, and jumped over the banisters, but in his doing so, the man grasped at his shoulder. He, however, escaped and ran out of the house, and hiding himself in a ditch, was not further pursued.

In the mean time the second villain had attacked Mrs. Blears. The latter, it appears, hearing the cries of the servant from the upper room, was on the point of rushing up stairs to ascertain the cause, when Andrew M'Keand seized her, and made a cut at her throat with a knife, which she saw him produce from beneath his coat. The wound was not serious, but she attempted to cry out, and then he took her by the throat, and drove the knife in under her left ear. He attempted to withdraw it, but could not; and having pulled several times, the handle at length came away, and he ran off, leaving the blade still remaining in the wound. Blears during the whole of this time had remained asleep on the sofa, suffering from the effects of the narcotic with which he had been plied; but now, awoke by the outcry, he started up, and found his wife wounded as we have described. The alarm was given to the neighbours, and the boy Higgins having returned, the body of the girl Betty was found lying on the landing, outside the bed-room door. Several persons attempted to pull the knife from the wound in Mrs. Blears' neck, but unsuccessfully; and Mr. Garthside, a surgeon, having been called in, he at length succeeded in extracting it. It was a whittle knife, and was sharp-pointed;

Digitized by Google

Digitized by Google

Farraday apprehending Alexander & Michael M'Beaud.

Pub. as

London Published by Thomas Tegg Cheapside

Digitized by Google

and upon subsequent inquiry, it turned out that one of the murderers had obtained it on the morning of the murder, and had sharpened it on the hearth-stone of a Mrs. Stewart, living near Blears' house.

Notwithstanding the immediate alarm given of this diabolical murder, the villains, for the time, succeeded in escaping detection; but their persons being known, it was not long before they were secured and brought to justice.

The particulars of their apprehension are rather curious. It appears, that a butcher residing at Kirkby Steven, having got up about five in the morning, saw passing his house, two strangers, who appeared to have walked a great distance, as they were evidently fatigued and foot-sore; and on that account he took more notice of their persons than he would otherwise have done. About two hours afterwards he went to a barber's shop, and whilst he was there, the constable of Kirkby-Steven came in with a hand-bill which had been sent from Worsley, containing a description of the persons of the M'Keands, which he read to the people in the barber's shop. On hearing it, the butcher immediately said, that it corresponded exactly with the men he had seen passing his house some time before; and as those persons appeared to have come a long way, he had no doubt they were the men. Some conversation ensued about following them; and at length the constable, and a publican named Farraday, a very stout and resolute man, set out on horseback in pursuit of them, about three hours after they had passed the butcher's shop. Monday being the market-day at Kirkby-Steven, a number of people were coming towards the town, and from them the constable and his companion learnt that the objects of their pursuit were before them, on the road to Appleby. After they had gone some miles, the horse which the publican rode became unable to proceed, and he exchanged horses with the constable, who did not appear quite so anxious to come in contact with the men. The publican, however, pushed on, and when he got within about three miles of Appleby, saw them before him on the road; Alexander, the taller, walking first, and Michael about fifty yards behind him. After scrutinising their persons a little, and satisfying himself that they answered the description in the hand-bill, he rode forward to the next public-house, which was a short distance, where he dismounted, and waited the coming of Alexander, whom he immediately accosted, "You seem to have walked a long way, sir. Will you take a glass of ale?" Alexander unsuspectingly accepted the invitation, and walked into the house, followed by Farraday, who immediately seized him, saying, "You are my prisoner;" and at the same time he was laid hold of by two men who were in attendance. Farraday then went to the door to apprehend Michael, who was outside, when Alexander having recovered from the momentary surprise which at first overpowered him, broke loose by a desperate effort from the two men, and came rushing from the house. Farraday, on hearing the two men in the house call out, "He is off," immediately turned round, when he met Alexander coming out of the door, and instantly felled him to the ground with a blow of his fist; and fortunate it was for himself, that he was so prompt and decisive; for Alexander had, at that time, a loaded pistol in his pocket; and there is little doubt that he would have used it if he had had an opportunity. As soon as he was secured a second time, and again handed over to the men, with an injunction to be more careful of him, the

Digitized by Google

publican again went out, to wait for Michael, who came up immediately. With him, the publican did not make use of any stratagem, but seized him at once by the collar. Michael raised a stick which he carried, as if for the purpose of striking him; but before he could execute his purpose, Farraday tripped up his heels, and threw him upon the ground. A violent struggle then ensued, in which Michael repeatedly kicked Farraday, and bit him severely upon the hand. He was, however, finally overpowered, and being forced into the house, the two brothers were tied together with a rope, and a chaise being sent for, they were conveyed to Appleby.

The prisoners having been subsequently examined in the presence of Blears, appeared to be greatly dejected and agitated, and they were eventually committed to Lancaster Castle for trial.

It was not until the 17th August that they took their trial, and then the facts which we have detailed having been stated in evidence, a verdict of Guilty was returned. The defence set up was that the prisoners were intoxicated, and that they never contemplated the commission of murder; but the plea was unavailing, and sentence of death was immediately passed.

During Friday night and Saturday morning after the trial, the Reverend R. Rowley, the chaplain of the Castle, visited them, and found Michael much altered in appearance. He persisted in his statement, that he was not the man who stabbed Mrs. Blears, and declared that he knew nothing of his brother's murderous intention until all was over. He requested pens, ink, and paper, and wrote several letters to females of his acquaintance, and during the forenoon he had interviews with two women. After this the Reverend Divine exhorted him to prayer, but he seemed reckless, and declared again that he was perfectly innocent, and ought not to suffer, insinuating that his brother had alone perpetrated the foul crime. In consequence of this some inquiries were made, and Mrs. Blears was again questioned as to the identity of Michael; but she persisted in declaring that he was the man that she met on the stairs (while running to the assistance of the murdered woman), and that his was the hand that wounded her.

Alexander M'Keand had long since prepared himself for the worst, and had fixed his attention entirely upon religious exercises. Upon being informed of the statements of his unhappy brother, he exclaimed, "Oh, God, forgive him! he is guilty, and well he knows it; it was he who stabbed Mrs. Blears below stairs, while I murdered the woman above in the room, for which I hope God will forgive me—I was drunk when I did it." He declined stating anything as to his motives, and it was judged prudent not to disturb him by further questions. The wretched man appeared to possess much determination and firmness of nerve, and throughout the whole of the last awful scene was calm and penitent. He declined seeing any person, and expressed a wish not to be disturbed by any visitor whatsoever; and begged the reverend chaplain to have it made known that it was his first crime, as it had been circulated that he had been concerned in a murder and robberies before. On Sunday the unhappy brothers met in the chapel for the first time since their condemnation, but Michael averted his head, and seemed desirous of avoiding any conversation or notice of Alexander. They were placed in a pew by themselves.

At six o'clock on Monday morning the criminals were led to the chapel, and received the sacrament, and remained at prayer for above an hour. Alexander exclaimed, "Oh, God, have mercy on me," almost incessantly.

Digitized by Google

Michael was quite sullen, and seemed scarcely able to stand or walk. A few minutes after seven o'clock, they were pinioned, and the under sheriff and his officers entered the chapel and demanded the culprits. Mr. Thomas Higgins, the governor, caused the M'Keands to advance to the chapel door, and withdrew a few paces; the procession then moved from the chapel to the place of execution, at the exterior of the north-western part of the castle. Michael walked with a hesitating step, and appeared dreadfully dismayed. Alexander was more collected, and his lips appeared as if moving in silent prayer.

At half-past seven o'clock precisely, a window which opens on hinges as a door, and which led immediately to the scaffold, opened, and the moment of expiation had arrived—no bell tolled, nor was there any other funeral rite to mark the approach of the murderers' death; all was conducted with imposing silence, and not a murmur of pity appeared to escape from the crowd. Everything being arranged, the caps were drawn over the culprits eyes; the chaplain read a part of the burial-service, the drop fell, and the wretched men were launched into eternity. After their bodies had hung the usual time, they were cut down and delivered over to the surgeons for dissection.

It would appear that these unfortunate brothers were born of poor parents, and that they pursued the occupation of hawkers as affording a means of procuring a living. Alexander was a hawker of tea, and was well known in the neighbourhood of the place where the murder was committed. His brother's district lay in another part of the county. Their mother and sister lived at Byrom-place, Winton, and received a communication from the culprits on the morning of the murder, through the medium of a Mrs. Stewart, with whom they were all acquainted, informing them that they were quite safe and had secured their escape, and accounting for the murder by declaring that they had only acted in their own defence, and that they had been attacked by Blears, the landlord.

A circumstance occurred about a week before the murder which may, perhaps, throw some light upon the motives which dictated it. An action had been brought against Alexander M'Keand some time before, for a debt due to a man named Claworth, a farmer, residing near Eccles; in consequence of which, he called upon the attorney who had brought it, and offered to pay the debt if it could be proved to be due. The attorney told him, that if he would call upon him on Saturday, he would produce a witness who would prove the debt. He did call; and they produced Blears, who distinctly stated that he had heard Alexander admit that he owed the money. Alexander denied that he had made any such admission, and, as we are informed, uttered some violent and threatening language towards Blears.

It appears to be impossible to ascribe any other motive for the commission of the murder than this; and even this anecdote can afford no solution of the mystery why the servant-woman was first attacked, unless their object was to dispose of the whole of the family, in order that their identification as the murderers might be concealed.

Digitized by Google

CHARLES THOMAS WHITE.

EXECUTED FOR ARSON.

THIS unfortunate young man, who was executed at the early age of twenty-three for the heinous crime of arson, was born of respectable parents, and having received a good education, was brought up to the business followed by his father—that of a bookseller. His father died when he was yet young, but his mother continued to carry on the shop which her late husband had opened at No. 265, High Holborn, near Red Lion-street, with a view to its future occupation by his son. Young White was respectably married at the early age of twenty-two, and then he received a sum of 800*l.* to commence business on his own account, besides a settlement on his wife of 1000*l.*, producing 65*l.* a year, and a further interest in 4000*l.*, which would fall to him on the death of his wife's mother. Although thus comfortably situated, however, he was guilty of a crime of the most diabolical nature, which cost him his life, and which had for its object the destruction of his own premises, and a consequent fraud upon the Insurance Office.

It appears that the unhappy young man made three attempts to secure his object; but although considerable injury was done on each occasion, he failed in attaining the end which he had in view to the full extent of his intention. The house in which he resided was too large for his purposes, and a portion of it was therefore let off to a Mr. Lazarus, whose family consisted of his grandmother, his sister, and a servant. The prisoner also had a servant named Catherine Taylor, but he had no family except his wife.

In the month of September 1823, a policy of insurance was effected by the prisoner's mother in the British Fire Insurance Company, upon the furniture and stock in the house, respectively for the sums of 400*l.* and 600*l.*; but on the 30th of May 1826, young White, without any assignable cause, increased the amount of the policy to 3500*l.* Within two months after this, the house was discovered to be on fire; but Mr. Lazarus having been alarmed, he jumped up, and on proceeding down stairs, he found his servant in a position which induced him to suppose that she was in some way a party to the wilful firing of the house. He for the time concealed his suspicions, but on the morning of the 5th of August the house was again discovered to be in flames. The girl was on this occasion found by her master near the place where the fire had commenced, almost entirely dressed; and his fears being now much excited, Mr. Lazarus caused her to be taken into custody. She underwent several examinations before the magistrates of Marlborough-street Police-office; but the evidence adduced against her was of a nature so inconclusive as to leave great doubts as to her guilt, and she was discharged. Evidence was soon after this obtained which proved her innocence, and the guilt of one of the persons at whose instance she was conveyed before the magistrates, namely, Mr. White. The fire on this occasion, it appears, happened between one and two o'clock in the morning. Mr. Lazarus was at that time aroused from his sleep by a strong sense of suffocation, and on rising from his bed, he ran down stairs, and found that flames were issuing from a cupboard

Digitized by Google

situated under the stairs leading to the first floor. An alarm had already been given outside the house, and some watchmen had assembled, and by their aid the fire was extinguished. When tranquillity had been in some degree restored, a search was made with a view to ascertain the cause of the conflagration, and the remains of two links, partly consumed, were discovered. White, on this, expressed his belief to Lazarus that the servant of the latter had wilfully set the house on fire, and she was, as we have already mentioned, given into custody. After her first examination, Mr. White suggested that it would be useless to follow up the prosecution, as he did not believe the girl had had the links; but on his being questioned, he denied all knowledge of them himself. The investigation of the case was intrusted to a very active and meritorious officer named Furzeman, and after the examination of the girl, the affair having been much talked of, it was at length discovered that a person very like White himself had purchased some links at the house of a Mr. Bradford, in Broad-street, St. Giles's. While the inquiry was still proceeding, on Wednesday the 4th of October 1825, a third fire broke out on the same premises. At this time the only persons sleeping in the house were Mr. White and his wife, and their servant Catherine Taylor. Mrs. White had retired to bed early in consequence of indisposition, and the servant went to sleep in her mistress's room at eleven o'clock at night, Mr. White then going to another apartment. At about one o'clock, an alarm of fire was raised, and the stairs were found to be in flames. Mrs. White suggested that some assistance should be demanded from the street; but her husband refused to consent to such a course, and conducted the two females to a trap-door in the roof of the garret, through which they made their escape, abandoning the house to its fate. The watch in the mean time had discovered the fire, and bursting open the street-door, they succeeded in extinguishing the flames. Further inquiries were now made, and upon the examination of the girl Taylor, it was ascertained that she had found a considerable quantity of turpentine, which was kept for her use, thrown over a hearth-rug in the parlour a day or two before the fire; and other facts were elicited, from which it became perfectly evident that the fire was the effect of design and not of accident, and that very great pains had been taken, by the distribution of combustibles in various parts of the lower rooms of the house, to secure the complete destruction of the premises. White was subsequently seen by Mr. Bradford, the oilman, in a dress similar to that worn by the man by whom the links had been purchased at his house, and then he immediately identified him as the person to whom he had sold them. Mr. White was on this taken into custody, and the circumstances above related having been proved in evidence before the magistrates, he was committed to Newgate.

At the sessions held at the Old Bailey on the 31st of October, the prisoner was indicted for the offence with which he stood charged, and the jury returned a verdict that he was guilty. His defence consisted only of a denial of the facts alleged against him, and he heard the finding of the jury delivered without much emotion. At the conclusion of the session he received sentence of death, in common with the other capital convicts; and he then urged upon the court the improbability of the charge, and suggested that his condition was such as to render it most unlikely that for the profit which he should derive, he should commit so diabolical an offence.

Digitized by Google

The unfortunate man subsequently made representations to government, with a view to procure a commutation of his sentence; but although considerable exertions were made in his favour, an order for his execution on the 2nd of January 1827 was received at Newgate on the 20th of December. The wretched man, who had been constantly attended in jail by his young wife, was dreadfully affected at receiving the fatal intelligence.

The subsequent conduct of the convict was such as ill befitted his awful situation. The bare contemplation of the moment of execution completely unmanned him, and instead of applying himself to religious exercises, he sat day after day brooding over his past life, and occasionally starting upon his feet, bitterly inveighed against his sentence. He had from the time of his trial persisted in denying his guilt; but at length he confessed that he was rightly charged and convicted, pleading in excuse that he was of unsound mind at the time. On his finding that his execution was inevitable, he had recourse to many ingenious measures to procure his escape, and it was discovered that he had some powerful auxiliaries, both among his fellow-prisoners, and his friends without the jail. Ground for suspicion of the design was first given by an intercepted letter; and at this time the prisoner occupied a cell which, from its position, was most favourable for his project. It was situated close to the outer wall of the prison, and could he but have removed the iron bars of the window, he might easily have reached the parapet, by means of a rope ladder, and descended into Newgate-street. A ladder was actually made of black sewing-thread, firmly and curiously wattled, which must have been the work of very considerable time: but the difficulty of removing the window-bars was found by the prisoner to be insurmountable without the aid of instruments. It is almost needless to say, that on the discovery of the scheme, the most minute watch was kept over the movements of the prisoner and his coadjutors. Frequent and anxious inquiries were observed to be made by White for a pair of shoes, which did not appear to be wanted; and when they arrived, they were examined; and spring saws, capable of cutting through iron bars without making any noise, were found sewed up between the upper and lower soles. The wretched man was now made acquainted with the frustration of his plans, and he at once admitted his intention, and spoke of the practicability of his scheme with much pride and satisfaction.

On the fatal morning the prisoner was conducted from his cell to the press-room by the sheriffs' assistants, when he declared that he was quite prepared, and had but one request to make before he died. Some hesitation was exhibited in answering him, when he said, that he had a wish that his arms should not be bound with ropes, but with a handkerchief, which he had prepared for that purpose. A short conference took place between the sheriff (Winchester) and the governor of the jail, and his request was acceded to; but he soon exhibited the design with which he had made it. Upon the executioner proceeding to pinion his hands, he made an effort, by keeping his wrists asunder, and by raising his left hand on a level with his right wrist, to procure the cord to be as slack as possible; but his object being seen, some assistance was procured, and his hands were firmly tied together, notwithstanding his struggling. The worthy ordinary remonstrated with him upon the impropriety of such conduct; but his only answer was, that he was hurt by the cords with

Digitized by Google

which he was bound. Upon the handkerchief, which he had produced, being placed round his arms, it was found to be too small, and a second was taken from his pocket, to add to it. He complained that his eyes would be uncovered, if this were used for the purpose proposed; and his intention to procure the liberation of his arms being at length clearly visible, he was pinioned with a cord in the customary manner. On this he became much affected, and wept bitterly. At length the procession moved on to the scaffold, and the wretched man mounted the platform at twenty minutes past eight, with a faltering and unsteady step. On the executioner and his assistant now approaching him in such a way as to convince him of their firmness, he became dreadfully agitated, and he raised his arms and extended his chest, as if desirous to burst the cords. In the attempt he loosened the bandages round his wrists; and on the cap being drawn over his face, his terror seemed to increase. No sooner had the executioner left him, than he suddenly raised his arms, and by a violent movement pushed off the cap; and accompanying this act with a motion of the body, he made a strong effort to liberate his neck from the halter. Two assistant executioners were now called; and having approached the unhappy man, they held him, while the cap was again placed over his face and tied with a handkerchief. The miserable wretch during the whole of this time was struggling with the most determined violence, and the scene excited the strongest expressions of horror among the crowd. Upon his being again left, he advanced from the spot on which he had been placed, until he had got his feet nearly off the drop, and had rested them on the firm part of the platform; and almost at the same moment he succeeded in tearing the handkerchief from his eyes. The outraged feelings of the assembled populace were still to be excited by a more frightful exhibition than they had yet witnessed. The accustomed signal having been given, the drop sunk; but the wretched man, instead of falling with it, suddenly jumped upon the platform, and seizing the cord round his throat with his hands, which he had sufficiently loosened by the violence of his struggles, he made an effort to prolong that life to which he seemed to be so strongly attached. At this moment the spectacle was horrifying in the extreme. The convict was partly suspended, and partly resting on the platform. During his exertions, his tongue had been forced from his mouth, and the convulsions of his body and the contortions of his face were truly appalling. The cries from the crowd were of a frightful description, and they continued until the executioner had forced the wretched man's hand from the cord, and having removed his feet from the platform, had suffered his whole weight to be sustained by the rope. The distortions of his countenance could even now be seen by the crowd, and as he remained suspended with his face uncovered, the spectacle was terrific. The hangman at length terminated his sufferings by hanging to his legs, and the unhappy wretch was seen to struggle no more.

A woman named Amelia Roberts was executed with White, and her conduct and demeanour formed a striking contrast to that of her fellow-sufferer.

Digitized by Google

WILLIAM BURT.

EXECUTED FOR THE MURDER OF HIS INFANT SON.

THE trial of this melancholy case took place at Lewes on the Home Circuit, on Friday the 5th January 1827.

The prisoner at this time was only twenty-eight years of age, and the indictment alleged that he had been guilty of the wilful murder of his son, Isaac Burt, by stabbing him with a shoemaker's knife, at Brighton, on the 22nd of August, in the preceding year.

From the evidence adduced to sustain the prosecution, it appeared that the prisoner was married to his wife, a fine young woman, in July 1825. He then became a toll-collector at Long Ditton; but his wife and he did not live happily together, and at Christmas in the same year he quarrelled with her and cruelly beat her with a poker. From that time she did not live with him, although repeatedly solicited by him so to do. At the end of May, the child whose murder led to the present indictment was born, and the mother went to Ditchelling workhouse, taking the infant with her. On the 20th of August the poor woman went to live at the house of Mrs. Young at Brighton. Two days subsequently the prisoner called to see her; he was refused admission, but forced his way to the room in which she was with her child, and in a paroxysm of rage stabbed her repeatedly with a knife, and also inflicted several mortal wounds on the child which was in her arms. She rushed out of the house with her murdered babe, and the prisoner was secured.

The prisoner, in his defence, stated that his marriage with his wife was one arising from pure love. Shortly afterwards, however, she became cool in her demeanour, and admitted that she did not like him, but that her affections were fixed on another object, a naval officer, whom she had known before. She subsequently left him; and tortured by jealousy, which was confirmed by a letter he detected her writing, commencing with the words "My dear," he determined to wound her in such a way as to render her disagreeable in the eyes of her lover. For this purpose he went to her on the 22nd of August, but he declared that he had not the slightest intention to kill his child.

The jury nevertheless returned a verdict of Guilty, and the wretched prisoner was sentenced to be executed at Horsham on the following Monday.

A second indictment, charging him with stabbing his wife, was withdrawn.

From the time of his condemnation, the wretched prisoner exhibited the greatest contrition, and appeared deeply impressed with the dreadful situation in which he was placed. He took leave of his wife on the morning of his execution, and both of them appeared to be much affected.

At ten minutes before twelve o'clock, the unfortunate man was conducted to the scaffold by the persons belonging to the prison, attended by the Reverend Mr. Witherby, the chaplain of the jail. He then advanced to the front of the railing, and addressed the people to the following effect:—"My friends, I hope you'll all take warning from me, and let not your passion get the better of your reason, as mine has done. I own my fault,

Digitized by Google

and am ready and prepared to die; and I hope the Lord stands ready to receive my soul." The last preparations having been made, the drop fell from beneath his feet, and he was launched into eternity.

The following letter was sent by Burt to his wife on Saturday, the day after his condemnation :—

"Horsham, the 6th day of January, A.D. 1827.

"My dear wife—I have now sent you my last letter that ever you will receive from me. I hope you are in good health and happy in your mind—as I am myself at present much happier than what any person would suppose. I seem not to fear, nor to dread death. I comfort myself by saying in mine heart, I shall probably in a few hours have the pleasure of seeing my own dear little baby and your two sisters. I do not make the least doubt but what the Lord will make me amends for all my trouble and great losses which I have had in this world. I do not mean to say that I would choose this disgraceful death rather than life, if I were to have my choice. My dear Harriet, I am very sorry that you did not come in to shake hands and bid me farewell. Let me prevail with you, my dear, to come, if possible, to see me, and let us depart without bearing malice, or having any hatred towards each other. Remember, the time will come when you will die as well as me; and, perhaps, when you are on your death-bed, it may be a great trouble to your mind because you did not shake hands with your poor unfortunate husband, when you had it in your power of so doing. If you can, reach Horsham jail before twelve o'clock on Monday—after that time is past, if you would give ten thousand worlds, it would not be granted unto you. If you should come only one minute before I die, I shall be very glad to embrace the pleasure of seeing once more her whom my heart dearly loveth. I willingly, with all my heart, forgive you and your mother, likewise all other persons who have in any way tried to persuade you to never have made up matters—to be reconciled—and to have lived with me again. Pray come and see me before I die.

"Farewell, farewell, farewell, my dear and precious wife.

"WILLIAM BURT."

The wish of the wretched convict, as will have been already seen, was gratified.

JOHN PEELE, *alias* GEORGE WATSON.

EXECUTED FOR FORGERY.

THE history and remarkable successes of this bold forger render his name well worthy a place in our list of criminals.

It appears that he was most respectably connected, and that he had the advantage of a good education and much general acquaintance with the world. He served his apprenticeship with Messrs. Cowley and Sancton, in Cateaton-street, and he remained in the employment of those gentlemen until about six or seven years before his execution, when he went into business jointly with a Mr. Henry, under the firm of Henry and Peele, in Mark-lane. He soon availed himself of the opportunities which his new condition presented to him, and began to send forgeries round the country. He succeeded to an amazing extent; but his father, whose fortune had been some time sinking under the extravagance of this profli-

Digitized by Google

gate, ascertained the extent of the plunder, paid all the bills, and in the hope that his son was still corrigible, sent him to America and the West Indies, and supplied him with the means of obtaining a comfortable livelihood. From the inquiries which were made before his apprehension, it was ascertained, beyond all doubt, that for two years he had subsisted in a most dashing and extravagant style by forgeries alone; he fancied detection was impossible, and he used to say, with a laugh, to a prostitute who was the companion of his pleasures, that there was not a county in England in which he had not "left his mark." He had assumed the name of George Watson, and travelled sometimes in a handsome stanhope, and at other times in an elegant double-bodied phaeton, accompanied by a female whom he had picked up at Portsmouth, and used to call Mrs. Watson, and to whom he had at first represented himself as a man possessed of immense wealth in America and the West Indies. He ingeniously drew and circulated as foreign, bills, most of which he forged, and dated them as either from the East India Islands, or some part of the United States of America; so that he not only evaded the stamp-duties, but totally destroyed one clue to a discovery which might have taken place, had he been obliged to purchase stamps at each place where he found it convenient or necessary to raise money.

It may appear singular how Peele could so long and so successfully, under any circumstances, have proceeded in this course without impediment; but the surprise will abate when it is mentioned that he always had hundreds of blank bills about him, and that he very seldom issued any for a large amount; so that the sufferers preferred the course of leaving him to take his "dangerous chance," to the expensive and unprofitable labour of bringing him to justice. When, at length, at the instance of the committee of bankers associated for mutual protection against forgery, the police followed him through England, they found that in almost every place of any consequence at which they inquired about him, he had "left his mark" upon the bankers or the innkeepers, or both.

The circumstances which led to the prosecution which succeeded against him are remarkable.—In the latter end of May 1825, Peele visited Tunbridge Wells, and presenting himself at the banking-house of Messrs. Beeching and Son, he said he had taken a house at the Wells for five months, and wished to know whether they had any objection to open an account for him during that period. They consented, and he presented two bills of exchange for 30*l.* and 35*l.* purporting to be accepted by Coutts and Co. in London. The bills were immediately discounted by Messrs. Beeching, through their clerk, and Peele endorsed the name "George Watson" upon them, and received the amount in cash. As a further inducement to Messrs. Beeching and Son to open an account with him, and to give colour to his practices, he gave to them a deposit-note of the Carlisle bank in his favour for 275*l.* 11*s.* 6*d.*, which he wished them to present to that bank through Masterman and Co., who were their London agents as well as the agents of the Carlisle bank. The deposit-note was accordingly sent down to Messrs. Connell and Co. at Carlisle; but they in due course apprised Messrs. Masterman that it had been obtained from them for a bill of exchange, for which Peele had got besides a considerable sum of money, but which, on its maturity, was discovered to be a forgery.

It was wondered how the prisoner could get acquainted with the signa-

Digitized by Google

tures and mode of business of the different parties whose names he used; but, upon inquiry, it was found that he had invariably presented himself to the notice of the bankers in the places where he negotiated the bills, by taking to them bank-notes, and getting in exchange bills on some London house; and he took care to select those bills which had many names upon them, the whole of which he would immediately copy in twenty different ways on various bills, and having done so, he would take the genuine bills, and others of his own manufacture, to the banking house, where the good bills never failed to be a passport to those which were spurious. Thus he sometimes made the genuine paper subservient to his plans of passing off counterfeit, and sometimes the latter, as in the case of the Carlisle Bank, subservient to the procuring of genuine bills, and both with uninterrupted success. In addition to the bills on Connell and Co., Peele also deposited with Messrs. Beeching two other bills,—one for 30*l.*, purporting to be drawn by Alexander and James Liddell, of Dundee, and accepted by Messrs. Robinson and Brown, of Glasgow; and the other for 37*l.* 11*s.* 6*d.* dated Antigua, 15th of February; and purporting to be drawn by Nathaniel Underwood, upon and accepted by Messrs. J. Bell and sons, of Leith. His professed object in this deposit, was merely that the bills should be in safe custody, but he contrived to get upon them an advance of 20*l.*, for which he drew a check in his assumed name of "George Watson," and on their arriving at maturity, it was ascertained that no one of the persons mentioned in them had any existence, except in the brain of the prisoner. Having succeeded in realising so much cash, however, he thought it high time to decamp; and accompanied by his woman, he drove to London, by Maidstone and Rochester. At the former place he put up at Widdish's hotel, and succeeded in getting cash for a check for 20*l.*, on Messrs. Beeching and Son, by whom it was afterwards paid, on the faith of the securities which had been left with them. A day or two after his departure, however, the note was returned from Carlisle, and it was discovered that the whole of the bills and securities were forgeries. Instant search was then made for Peele, but he flew from place to place. At length Mr. Gates, the solicitor to the Bankers' Committee, received intelligence that he was at Newark, in Nottinghamshire, and started from London, attended by an officer, for that place.

Adversity had already begun its work with the wretched man. A Derbyshire publican, upon whom he had passed a forged bill, spied him at his wine, and never left him till his body was under lock and key in Derby jail. Peele was committed for trial for uttering this bill, which was for 45*l.*, and Mr. Gates went to Derby prepared to lodge detainers against him, or have him taken into custody, in the event of an acquittal there; but on his arrival at Derby, he found that it was Peele's intention to plead guilty to the charge of uttering the bill; that the prosecutor would, in all probability, be paid his debt as an inducement to join in a recommendation of the prisoner to mercy, and that Peele might escape if the remaining charges against him were permitted to sleep.

He, therefore, applied to the Lord Chief Baron, who was in commission at Derby, to have the prisoner removed to Maidstone, previously to his trial at Derby, and under the circumstances of so many charges existing in Kent, and after consultation as to the most eligible course, it was arranged that no bill should be preferred at Derby, but that upon Peele's

Digitized by Google

discharge by proclamation, he should be handed over to a police officer in attendance, with a warrant from Sir Richard Birnie. This was done, and Peele was committed to Maidstone jail.

At the ensuing assizes, he was indicted for the forgeries upon Messrs. Beeching, and a verdict of Guilty having been returned, he was sentenced to death.

On the 26th of January 1827, the sentence was carried out upon the unhappy man, at Pennenden Heath, near Maidstone. Up to within a short time of his death, he is reported to have entertained sanguine hopes of his life being saved, and he exhibited the utmost cheerfulness. As the day of execution approached, however, he became sensible of his situation, and applied himself strenuously to his religious duties.

He met his fate with becoming resignation, and his body was afterwards delivered over to his friends for interment.

Amongst his letters, which were found in the possession of the woman with whom he lived, were the following, which are curious:—

"Brighton, Friday night, eight o'clock.

"My dear Martha—Jane is now with me, and we have just left the Chain Pier, which runs with an alarming tremor at this moment into the sea. We are going to cast an eye at Cook, in the Monster, at the Circus. This monster is not a Caliban; it is a less delicate monster; it has no genius about it. I cannot leave this 'dearest chuck,' until to-morrow, mid-day; and I trust I shall twine my arms round you before five o'clock.

"Yours ever truly,

"G. Watson."

"(Drunk.) "Liverpool.

"My dear Martha—By the failure in Liverpool I have lost 500*l*. Why, let it go. Be you happy, Martha. I have been some hundreds of miles since I saw thee; but what is travelling in labour or anxiety, compared to the fear that thou shalt suffer? No, no, Martha, never suspect that I can ever forget or forsake thee. My dear, dear girl, take care of thyself. Despair not; my exactions shall have thy image to give them pleasure and success.

"Thine for ever,

"George Watson."

It appears from his letters, that he had moved with extraordinary rapidity from place to place. A variety of blank bills of exchange, ready for use, together with some bills partly filled up, and others with indorsements, were found upon the person of the unfortunate man at the time of his apprehension.

Digitized by Google

WILLIAM SHEEN.

TRIED FOR THE MURDER OF HIS CHILD.

THE case of this man has always attracted a considerable portion of public attention.

The facts of the dreadful affair which we have been enabled to obtain, are as follows:—The alleged perpetrator of the horrid act is a native of Radnorshire, South Wales, and was born about the year 1803. He obtained his livelihood by chopping wood, and selling it in bundles about the streets of the metropolis, as also did his father and youngest brother, who lived in White's-yard, Rosemary-lane, near Tower-hill. The wretched man himself lived, with his wife and infant, at the house of John Pomeroy, No. 2, Caroline-court, Lambeth-street. About February 1827, he was married to the mother of the unfortunate child, previously to which she had given it birth, which reaching the ears of the parish officers of St. Katherine, the parochial officers, upon condition that he would marry her, presented him with 5*l*. From the moment the little creature was born the wretched father seemed to have the greatest hatred towards it, and frequently he would wantonly, whilst it lay in its mother's lap, strike it on its head with his fist, or anything that first came to hand; and whenever the mother offered the child to him to kiss, he always turned his head away in great anger. Yet not the slightest thought ever entered the mind of any person that he premeditated its destruction. On the Sunday before the murder, while the mother was dressing the little creature, he took up a piece of wood that lay on the table, and struck it over the head with such force, that a large bump was raised. About half-past seven o'clock on a Thursday evening in the month of May he came home, and the child was then asleep at the breast in its mother's lap. He gave her money to procure the necessaries for tea, and desired her to leave the child on the bed, as it was in a sound sleep. She did so, and the wretch lay down by the side of it. She left the room, and was gone about a quarter of an hour, but, on her return, and opening the room-door, her feelings of horror can be more easily conceived than described, when she beheld the head of her offspring weltering in blood on the table, with its eyes fixed towards the door. The poor creature, half mad, ran down stairs and called out, "Murder, murder!" and meeting Mrs. Pomeroy, she exclaimed, "Oh, my God! Mrs. Pomeroy, come up stairs, and see what my Bill has done; he has cut my poor child's head off!" The woman and several of the neighbours ran up stairs, and found proof of the horrid deed. The head of the child was lying as above described, and the bleeding body was placed on the bed. Information was directly given at the Police-office, and Dalton and Davis, the officers, proceeded to the room, which they searched, but the weapon with which the murderer committed the deed could not be found; but in one corner of the room they found his fustian coat and hat, both of them covered with blood. Several persons went in pursuit of the wretched man; but the only trace they could obtain of him was, that directly the murder was committed, he was observed running, in his shirt-sleeves, towards his father's house, in White's-yard, Rosemary-lane, where

Digitized by Google

he was seen to beckon his father out, who was also in his shirt-sleeves, and they both went away together.

From subsequent inquiries it was discovered that Sheen had borrowed a coat and 10*s.* from a man named Pugh, who lived in Carnaby Market, pretending that he had had a fight with an Irishman, and was obliged in consequence to abscond; and it was further found, that he had made off, in order to avoid being taken into custody.

Davis, the officer of Lambeth-street, was in consequence directed by the magistrates to endeavour to procure the apprehension of the supposed offender; and we shall give his statement of the means which he employed to secure this object, exhibiting as they do the most praiseworthy ingenuity and perseverance, on his part, in securing the object which he had in view. The officer was examined at Worship-street Police-office, and his evidence was as follows:—

"I left town last Friday night, (May the 18th,) by the Birmingham coach, understanding that the prisoner had gone in that direction. While on my way thither, at about a mile beyond Stratford-on-Avon, a person got on the coach, having the appearance of a discharged soldier, who, in the course of conversation, told me he had exchanged a hat on that morning with a man who said he was going to Birmingham, whom, from the description he gave me of his clothing, I believed to be Sheen. On my arrival at Birmingham, on Saturday, about four o'clock, I without delay commenced a most diligent search, which I continued, but without success, until half-past twelve at night. I resumed it on Sunday, and found the person spoken of, about two o'clock, in the Lamb public-house, in Edgeston-street: he, however, proved not to be the man I wanted. On Monday morning I proceeded through Worcester to Kington, Herefordshire, having reason, from the information I had received, to believe that the prisoner had taken that direction. From circumstances that occurred it struck me that I was in advance of him, and, under this impression, I waited on the bridge, at the entrance of the town, for five hours. While there, considering the best plan I should adopt, I came to the conclusion of going to the remotest inn in the town, to evade publicity, and conceal the object of my journey. While remaining in the town, I deemed it prudent to communicate with one of the county magistrates, and inform him who I was, and what I came down about. I in consequence called on Edward Cheese, Esq., a magistrate and banker, residing in Kington, and from him received every assistance. From the number of Sheen's relatives living in the neighbourhood, and for twenty miles round Kington, I was kept constantly on the move, and traversed and searched a number of places and houses where I thought it likely he might be concealed.

"While traversing the country, I, from the fear of being recognised, assumed the dress of a countryman, and, with a smock-frock on, I casually went into a public-house, where there were a number of Cardigan drovers, and here I thought my labours would be unsuccessful, for one of them having read from a London paper an account of the murder, and a description of the murderer, who was at once known, I concluded that such warning would be conveyed to him as would defeat my object, particularly as they were going among all his friends. I returned on the same night to Kington; and on the following day a circumstance occurred which enabled me to secure Sheen. On the morning of that day, while

Digitized by Google

cleaning myself, I left my coat (in the side-pocket of which I generally carry my handcuffs and pistols) in the kitchen, and on my return was surprised at finding that the handcuffs had been removed, and were lying on the seat. This was accounted for afterwards by its being told me that they had dropped out, a circumstance that alarmed me a good deal, as they had my name on them, and would lead, as I supposed, to the discovery of who I was and what was my business. I was not much mistaken, for while in my bedroom the person called on me who picked up the handcuffs, and said, "I know who you are, and guess what your business here is—I can give you some information which I think will be of service." I then collected from him such facts, and so distinct a trace of Sheen, as induced me to go to Penny Bont, taking with me an active constable, of Kington, named Yates. On my arrival there I stopped at the Severn Arms Inn, and in the after part of the evening a man came in and asked for the London paper; this he read carefully, and when he had concluded, first looking inquisitively round the room, he hastily departed in a very agitated manner. His appearance and conduct excited my suspicions, and I inquired from the landlady who he was, and where he lived. I heard that his name was James—that he was married to Sheen's aunt, and that he lived at about two miles' distance from the village. I at once followed him, and saw him enter a house, called the Lane House, in Llanbadenwaur, in Radnorshire; and having ascertained where he resided, I returned to the inn, and accompanied by Yates, went back with the intention of searching the house, but thought it prudent not then to do so, as in the event of his not being there, he would be put on his guard. On second consideration I went back again to the Lane House, and having placed Yates at the rear of the premises, I burst in the door, first giving Yates directions, should he see any one coming out answering the description of Sheen, to secure him, and should he attempt to make his escape, to fire at him without hesitation. On going in I found several people in the house, but not the person I wanted, and a third time I returned to my lodgings. In about three hours afterwards, accompanied as before, and making similar arrangements, having received further information, I returned to the same house, and there secured Sheen; he was sitting at breakfast in the chimney corner, and on examining his person, I found on him a shirt spotted with blood, particularly on the neck and right wristband. He came with me very quietly and when I apprehended him, said, 'Oh, Mr. Davis, is it you?—I shall go with you without any resistance.'" Thus terminated Davis's account, and to some questions from the magistrate, Mr. Wyatt, he said, that Sheen had made no confession to him directly, but that he heard him make one indirectly to the landlady of a public-house in Radnor, to whom he was known, and who asked him, 'How, in the name of God, came you to do such a cruel thing?' and he replied, 'It was not God, but the devil.'"

During the time occupied in this search by Davis, a coroner's inquest had been held upon the body of the deceased child, and circumstances having been proved implicating the father of the infant, a verdict of Wilful Murder was returned against him.

On Friday the 1st of June following, the prisoner was put upon his trial at the Old Bailey, charged upon the indictment with the wilful murder of "William Sheen."

The circumstances which we have detailed were then proved in evidence,

Digitized by Google

but an objection being taken by the prisoner's counsel as to the sufficiency of the description of the deceased, who had been baptised "William Charles Beadle Sheen," it was held to be fatal to the indictment, and a verdict of Not Guilty was, in consequence, returned.

Application was, however, made to the court that the prisoner should be kept in custody, with a view to the presentment of a new indictment to the grand jury.

At the ensuing sessions a second bill of indictment, in which the formal error which we have pointed out was corrected, was presented, and the prisoner was put on his trial on the 13th July. A plea of *autre fois acquit* was then pleaded in bar, and evidence having been given that the real name of the deceased was sufficiently well known to have enabled the prosecutors to have stated it properly in the first indictment, Mr. Justice Burrough declared that the prisoner could not be again put upon his trial.

Sheen was then discharged, but not until he had received a proper and most affecting admonition from the learned judge as to his past life, and a warning to let his future conduct wipe off the stain, which his position had cast upon his character.

The wretched man is, we believe, still alive, and residing in the vicinity of the spot which was the scene of his unhappy child's death; and we regret to add that he has not unfrequently been the subject of charges before the police magistrates of the district, upon allegations of riot and intoxication.

RICHARD BOWERS.

TRANSPORTED FOR "DUFFING."

THIS offender was one of the most notorious of the class of thieves of which he was a member.

The particulars of his trial do not reach us in any very perfect form; but the following is the report of his examination before the magistrates at Marylebone police-office, upon the charge, upon which conviction finally ensued, as it appeared in one of the newspapers of the time. The circumstances detailed well describe the artifices to which a person following the practices of "Dick Bowers," as he was familiarly called, had recourse. Dick was perfectly notorious throughout London; and we believe that there was scarcely a police-office in the metropolis at which he had not been in custody. It may be remarked that he had but one leg, the deficiency being supplied with what he usually denominated a "timber toe."

"Dick Bowers, who has been several times in custody for duffing, was charged with having robbed Mr. Philips, of Bryanstone-street. The complainant said, that on the 6th July, (1827,) he was accosted, in Duke-street, by a person who said he had a quantity of kid gloves, shawls, &c., which he could afford to sell cheap. He accompanied the person to a public-house in Robert-street, Oxford-street, and on entering the room he was introduced to another person, and they produced from a bag a pair of gloves as a sample; and it was agreed upon that he should have two dozen pairs for a sovereign, the price demanded being ten pence a pair. One of the men wrapped up the pair of gloves, and produced a small silk shawl and a piece of cloth, and delivered them into his hands, saying, that he was

Digitized by Google

only an agent, and, therefore, could not let him have the two dozen pairs at that time, but he might take the piece of cloth as a security; and on furnishing him with his address, he (Mr. Philips) might rely on receiving the gloves in a few days. He, accordingly, gave the man a sovereign and took up the parcel. Both the men then left the room, and the prisoner entered, who pushed rudely against him and seized the parcel out of his hands. He told the prisoner that the parcel was his property, having just paid a sovereign for it; but the prisoner insisted on retaining it unless he consented to give him more money. He of course refused to pay anything more, and attempted to take it away by force, but not succeeding, he quitted the house."

It subsequently turned out that Bowers was a member of the gang of "duffers," by whom Mr. Philips had been accosted, and that his violent effort to procure the return of the property to himself was only a part of the scheme intended to be put in operation.

At the ensuing Old Bailey sessions, Bowers was convicted of the offence imputed to him, and on Tuesday, 17th July 1827, he received sentence of transportation for fourteen years.

EDWARD GIBBON WAKEFIELD, WILLIAM WAKEFIELD, AND FRANCES WAKEFIELD.

CONVICTED OF THE ABDUCTION OF MISS TURNER.

No case of a similar nature ever excited one quarter of the degree of interest which was produced by the extraordinary abduction of Miss Turner, a wealthy heiress, and the daughter of Mr. Turner, a gentleman of the highest respectability living at Shrigley in the county of Cheshire, by Mr. Edward Gibbon Wakefield. The notoriety of the case renders it unnecessary for us to do more than to give a general history of the circumstances attending the abduction, and the final termination of the proceedings against the defendants, Mr. E. G. Wakefield, and his brother William, and Mrs. Frances Wakefield.

It would appear that Miss Turner, at the time of this affair, had just entered her fifteenth year. Her father was a man of large property, and was high sheriff of Cheshire; and with a view to the proper education of his daughter, who was a young lady of lively disposition, of quick perception, and besides of great personal beauty, he placed her at the school of a Mrs. Daulby, at Liverpool. She had continued there during a considerable time, when in the month of February 1827, Mr. E. G. Wakefield and his brother William went to Macclesfield on a visit, where they learned the situation, the wealth, and the beauty of Miss Turner. A design was soon formed, by means of which they proposed to secure possession of the person of Miss Turner, and it was but too successfully carried out. With this view they quitted Macclesfield on the evening of the 5th March, with the professed object of proceeding to the metropolis on their route to Paris; but instead of taking the road to London, at seven o'clock on the morning of the 6th of the same month they presented themselves at the Albion Hotel, Manchester, in a Wilmslow post chaise. Having purchased a carriage in this place, they went on towards Liverpool; and at eight o'clock on the morning of Tuesday the 7th March, the newly bought

Digitized by Google

carriage was driven up to the house of Mrs. Daulby, and a servant alighting from it presented a letter, which was in the following terms, and which he professed to have brought with him from Shrigley. It was addressed to Miss Daulby, and was as follows :—

"Shrigley, Monday night, half-past Twelve.

"Madam,—I write to you by the desire of Mrs. Turner, of Shrigley, who has been seized with a sudden and dangerous attack of paralysis. Mr. Turner is unfortunately from home, but has been sent for, and Mrs. Turner wishes to see her daughter immediately. A steady servant will take this letter and my carriage to you to fetch Miss Turner; and I beg that no time may be lost in her departure, as, though I do not think Mrs. Turner in immediate danger, it is possible she may soon become incapable of recognising any one. Mrs. Turner particularly wishes that her daughter may not be informed of the extent of her danger, as, without this precaution, Miss Turner might be very anxious on the journey; and this house is so crowded, and in such confusion and alarm, that Mrs. Turner does not wish any one to accompany her daughter. The servant is instructed not to let the boys drive too fast, as Miss T. is rather fearful in a carriage I am, madam, your obedient servant,

"JOHN AINSWORTH, M. D.

"The best thing to say to Miss T. is, that Mrs. T. wishes to have her daughter home rather sooner, for the approaching removal to the new house; and the servant is instructed to give no other reason in case Miss Turner should ask any questions. Mrs. Turner is very anxious that her daughter should not be frightened, and trusts to your judgment to prevent it; she also desires me to add, that her sister, or niece, or myself, should they continue unable, will not fail to write to you by post."

The allusion to the indisposition of the young lady to ride quickly, gave the letter an air of authenticity, and its contents were immediately communicated to Miss Turner. On her seeing the servant, however, she expressed her surprise at his being strange to her, but the fellow, whose name was Thevenot, and who was in the service of Wakefield, answered, with great readiness, that in consequence of Mr. Turner's having taken a new mansion, he had made some alteration in his establishment, and that he had engaged him as butler, in lieu of the person who had before filled that situation. He added, that the carriage would return by way of Manchester, where it would take up Dr. Hull, who, it was known, had previously attended Mrs. Turner, and that then it would immediately proceed to Shrigley. The extreme plausibility of the man's manner and story left no room for suspicion, and the young lady was in a few minutes handed into the carriage, and was driven off. The vehicle reached Manchester in due course; but instead of going to Dr. Hull's residence, it stopped at the door of the Albion Hotel, and there the young lady was directed to alight. She was shown into a private room, but she had scarcely been there five minutes when Mr. E. G. Wakefield presented himself. Miss Turner was at this time completely unacquainted with him, and she was about to leave the room; but on his stating to her that he came from her papa, she remained. She proceeded immediately to make inquiries of him as to the state of her mother's health; but the necessity of some reason being given why she was not taken to Shrigley having arisen, Mr. Wakefield told her, that the fact was that the real cause of her removal from the school

Digitized by Google

was the state of her father's affairs, and that the only reason why this was not at once communicated to her was a desire on the part of her parents to keep the circumstance secret from her schoolmistress and companions. He then introduced his brother William to her, and telling her that they were directed immediately to conduct her to Mr. Turner, they ordered post-horses to be instantly got ready. They then proceeded on the road to Huddersfield, and Miss Turner, buoyed up with the assurance of seeing her father at almost every stage, travelled all night until they arrived at Kendal, where she was assured that her parent would be in waiting for them. Here, however, a fresh disappointment awaited the unhappy young lady; and Wakefield, perceiving that she began to exhibit great anxiety, now found it necessary to become "more explicit" upon the subject of the state of her father's affairs. He stated to her that the bank of Messrs. Daintry and Kyle at Macclesfield had failed, and that an uncle of his, who was a banker at Kendal, had lent her father 60,000*l*. That this had partially relieved him; but that the Blackburn bank having also failed, everything was now worse and worse. That her father was completely ruined, but that he (Wakefield) was his greatest friend; that his uncle could turn Mr. Turner out of doors, but that Mr. Grimsditch, the legal adviser of the latter, had hit upon a plan which, if it were followed out, would make all right. That some settlements were to be drawn up and made, and some property transferred to her, so that her estate would belong to her husband, whoever he might be; that Mr. Grimsditch had proposed that he (Mr. Wakefield) should marry her, but that as he had never seen her, he had laughed at the proposition; but that his uncle, the Kendal banker, had insisted upon his seeing her, and that it now remained for her to determine whether she would accede to this proposition, or whether her father should be turned out of doors. He added, that she might come to a determination when she saw her father, who was then on his way to Scotland pursued by sheriffs' officers. Imposed upon by these representations, Miss Turner permitted herself to be carried to Carlisle on the way to Gretna Green; and on their arrival in that city, the younger Wakefield quitted the party for a short time. On his return, he said that he had seen Mr. Turner and Mr. Grimsditch at an inn close by; but that in consequence of their dread of sheriffs' officers, the former was afraid to show himself: that Mr. Grimsditch, in his fear, had thrust him from the house, declaring his anxious desire that the marriage should take place immediately, for that as soon as the certificate arrived at Carlisle, Mr. Turner would be released. He also added, that Mr. Turner had desired him to inform his daughter, that he entreated that she would not hesitate; for that if she did, there would be an execution at Shrigley, and they would all be ruined.

With such an injunction, Miss Turner, with a degree of filial solicitude which did her honour, hesitated no longer, but at once proceeded to Gretna with Mr. Wakefield, where the ceremony of marriage was performed by the far-famed blacksmith in the customary manner. This done, she returned with Mr. Wakefield to Carlisle, and there expressed her anxious solicitude with regard to her father's situation, desiring at once to see him, in order that she might be assured of his safety. A new subterfuge was adopted, however, and she was informed that her father, having now secured his liberty, and intelligence of her marriage having already reached him, had gone on to Shrigley, whither they were to follow him. Leeds was

Digitized by Google

the point to which they next proceeded; and on their arrival there, Wakefield recollected that he had an appointment at Paris, which he must keep in the ensuing week. He declared it impossible therefore that they could then go to Shrigley, and he pretended to despatch his brother to Cheshire, with directions to conduct Mr. Turner to London, where they would all meet. Wakefield and Miss Turner arrived at Blake's Hotel, in Prince's-street, Hanover-square, at half-past eleven o'clock, on the night of Friday the 19th of March; but there a person who was in waiting having declared that Mr. Turner and Mr. W. Wakefield had proceeded to France, a chaise was directly ordered, and they started for Dover, and from thence by the first packet to Calais.

For several days the circumstance of the abduction remained totally unknown to the friends of the young lady; but the fact of her not having arrived at Shrigley having been discovered by Mrs. Daulby, some members of the family were despatched in pursuit of her, and she was traced to Manchester, and thence to Huddersfield; but there all trace of her and her companion was lost. The dreadful anxiety entertained by the unhappy parents of the young lady was soon still further excited by the receipt of a letter from Mr. Wakefield, dated Carlisle, begging that Mr. and Mrs. Turner would render themselves quite easy, for that the writer had married their daughter. In a state of mind bordering on distraction, Mr. Turner instantly proceeded to London, for the purpose of procuring such aid as could be afforded by the police of the metropolis. His inquiries soon taught him that Mr. Wakefield had carried his daughter to the Continent, and thither he despatched the paternal uncle of the young lady, accompanied by his solicitor and Ellis, an active and prudent officer, atached to Bow-street, and armed with a letter from Mr. Canning to the British Ambassador in France. In the mean time, a letter was received by Mrs. Turner from Mr. Wakefield, dated Calais, in which the writer repeated the declaration that he had married Miss Turner, and taking all the blame of the transaction on himself, as far as "over-persuasion" went, he added, "Miss Turner is fondly attached to me, and I do assure you, my dear madam, that it shall be the anxious endeavour of my life to promote her happiness by every means in my power."

Upon the landing of Mr. Turner and his companions at Calais, the first persons whom they saw were the young lady whom they sought, and Mr. Wakefield, who were walking on the pier. The exclamation of Miss Turner afforded a convincing proof that she remained with Mr. Wakefield unwillingly; for crying out "Good God! here's my uncle," she rushed from her companion, and was soon locked in the embrace of her relation, declaring how rejoiced she was that he had come to convey her home. Mr. Wakefield, on finding matters take this turn, declared that the young lady could not be taken from him by force, and appealed to the civil authorities of the town, whether any person could be hurried from the country against her consent? The mayor immediately interfered; but upon his applying to the young lady to ascertain her feeling upon the subject, she clung to the protecting arm of her uncle, exclaiming that "she would freely go with him, to avoid the sight of that man" (Mr. Wakefield). Mr. Wakefield still urged his right to the possession of the young lady, as she was his wife; but Miss Turner cried out, "No, no, I am not his wife: he carried me away by fraud and stratagem; forced me

Digitized by Google

to accompany him to Gretna Green; and there, in the presence of a third person, I was compelled to acknowledge him as my husband, and to be called his wife. By the same forcible means I was compelled to quit England, and to trust myself to the protection of this person, whom I never saw until I was taken from Liverpool, and now never wish to see again." Wakefield finding his plans completely frustrated, on this said to the uncle, "Then, sir, you may dispose of your niece as you think proper, but you receive her at my hands as a pure and spotless virgin." Mr. Wakefield also drew up an acknowledgment, declaring that no familiarities whatever had passed between him and the young lady, and having signed it, he put it into the hands of Mr. Turner.

Mr. Turner and his niece then forthwith returned to England; while Mr. Wakefield proceeded to his hotel, and, having packed up his luggage, started directly for Paris.

A question now arose as to the proper mode of proceeding in the courts of law against the offending parties in this extraordinary transaction. Warrants were, however, issued against the Wakefields, upon one of which Mr. William Wakefield was apprehended at Dover within a few days after his brother's flight to Paris. He was instantly conveyed before the magistrates of Cheshire, where an examination of great length took place; and after a long argument upon the nature of the offence, he was committed to Lancaster Castle to await his trial, the magistrates refusing to take bail for his appearance at the assizes. Under a writ of *habeas corpus*, Mr. Wakefield was brought before the Court of King's Bench on the first day of the following Easter Term; and the depositions in the case being produced on the succeeding day, Mr. Wakefield was admitted to bail, in a personal recognizance of 2000*l*., and with two sureties in the amount of 1000*l*. each.

At the following assizes for the county of Lancaster, indictments were preferred against Mr. E. G. Wakefield and Mr. W. Wakefield, for "having at Liverpool feloniously carried away one Ellen Turner, spinster, then a maid and heir-apparent unto her father, William Turner Esq., for the sake of the lucre of her substance; and for having afterwards unlawfully and against her will married the said Ellen Turner." An indictment was also preferred against the same parties, together with Edward Thévenot, their servant, and Frances Wakefield, their stepmother, who was alleged to be concerned in the transaction, for a conspiracy; and the grand jury returned true bills in both cases, in the former, however, reducing the offence to a misdemeanour only. All the parties, with the exception of Thévenot who was in France, appeared and pleaded Not Guilty to the indictments; and Mr. Justice Park, upon an application by the defendants, refused to postpone the trial. Mr. E. G. Wakefield then claimed a right to traverse, and after some argument it was allowed him. Upon the 21st of August, public curiosity was excited to the highest degree, in consequence of its being anticipated that the trial of Mr. William Wakefield would then come on. The court was crowded to excess, and the ladies formed, as usual on such occasions, the principal part of the audience; but on Mr. Wakefield being called, it was found that he was not in attendance. Great disappointment was felt by the public in consequence, and an order was made by the learned judge that the recognizances of the bail and of the defendant should be estreated. The interest which the

Digitized by Google

public took in this case from its commencement was now doomed to be suspended for a considerable time; for it was not until Friday, March the 23rd, 1827, that the general curiosity which was entertained with regard to the termination of the case was satisfied. The three defendants were then put upon their trial at Lancaster, Mr. Brougham appearing with others for the prosecution, and Mr. Scarlett for the defence. After a trial which occupied the whole day, and in the course of which the circumstances which we have already detailed were proved in evidence, the jury returned a verdict of Guilty against all three defendants. The most remarkable part of the case was the examination of David Laing, the blacksmith at Gretna. His evidence simply amounted to proof, that the Messrs. Wakefield and Miss Turner had come to Gretna, being apparently agreeable to the match, and that he joined their hands, and heard their acknowledgment in the usual form. The young lady, he said, presented him with a twenty-shilling note, and afterwards "embraced her husband very agreeably." The fellow, in his examination, declared that he had formerly been a merchant (that is, a Scotch pedlar), and that he had been forty-five years employed in joining hands at Gretna Green. He had 30*l.* or 40*l.* for this job. In appearance the old man had been made to assume an air of respectability. Some one had dressed him in a black coat, and a velvet waistcoat and breeches of the same colour; the shape of his hat being that commonly known as the "clerical cock." He seemed a vulgar fellow, though not without shrewdness, and that air of familiarity which he might be supposed to have acquired by the freedom necessarily permitted by persons of a superior rank in life, to one who was conscious that he had the power of performing for them clandestinely a most important ceremony. On his entering the witness-box, he leaned forward towards the counsel with a ludicrous expression of gravity on his face, accompanying every answer with a knitting of his wrinkled brow, and a significant nodding of his head, which gave peculiar force to the quaintness of phraseology which he assumed, and occasionally convulsed the court with laughter.

On the following day, Messrs. E. G. and W. Wakefield submitted to a verdict of Guilty on the second indictment; and upon the two findings the male defendants were committed to Lancaster Castle, there to remain until the ensuing term, when they were to be brought up for judgment in the Court of King's Bench.

On Monday the 14th of May, Messrs. E. G. and W. Wakefield were carried to the Court of King's Bench at Westminster, to receive judgment, when affidavits were put in on their behalf, declaring that the latter had acted entirely under the guidance and direction of his elder brother. Mr. E. G. Wakefield also swore, that the expenses of his trial to him had exceeded 3000*l.* The counsel on behalf of the prosecution having addressed the court in aggravation, pressing for the severest penalty allowed by the law, Mr. Justice Bayley addressed the prisoners. He dwelt in impressive terms upon the falsehood and art used by them to entrap the young lady into the marriage, and the gross delusions resorted to for the purpose of lulling her suspicions, and inducing her to yield to the design in carrying her off. Having then referred separately to the conduct of the defendants, the learned Judge passed sentence, that Edward Gibbon Wakefield should be imprisoned in Newgate for the space of three years, and that W. Wakefield should be imprisoned in Lancaster Castle for the

Digitized by Google

like term of three years. Mrs. Frances Wakefield, against whom a verdict of Guilty had also been returned, was not brought up for judgment; the generous feelings of Mr. Turner, much injured as his family had been, preventing him from proceeding with harshness against a female.

On the next day, a motion was made in the House of Lords by Lord Redesdale, for leave to bring in a bill to annul the marriage between Miss Turner and Mr. Wakefield, when, after some discussion, the bill was granted in the usual way. Mr. Wakefield, upon his petition, was subsequently brought from Newgate to oppose the second reading of the bill; but the opposition was fruitless, and it eventually passed both houses of parliament. Messrs. Wakefield afterwards completed the term of their imprisonment; at the conclusion of which they were liberated from the jails in which they were respectively confined.

We are unable to present the reader with any distinct or positive history of the Messrs. Wakefield. At the time of the commission of the offence for the participation in which they suffered so severe a punishment, Mr. E. G. Wakefield was a barrister, and although he was not known as possessing any practice in the profession of the law, he was understood to be in the receipt of an income of about 1000*l.* a year. He was at this time a widower with two children, having eloped with his first wife from a school. His children were in Paris; but upon his committal to Lancaster Castle, they followed him to that place with their governess. Mr. Wakefield was at that time about thirty years of age, and in a letter which was addressed by a person named Collier on his behalf to the newspapers, he denied the allegation that he was unacquainted with Miss Turner before the elopement, declaring that he had previously met her at a public ball. In the course of the time occupied by the public in the discussion of the case, he put forth a statement of facts, denying that any force or fraud had been used towards Miss Turner; and subsequently, while in Newgate, he published a pamphlet, the object of which was to show that Miss Turner was really his wife, that she was a consenting party to the marriage, and that no ground therefore existed for the divorce. Mr. Wakefield has since become well known in the mercantile world from his connexion with several public companies.

Mr. W. Wakefield at the time of this offence was much younger than his brother, and appears to have acted almost entirely under the directions of the latter. He was married only a few days before his apprehension to a lady entitled to move in the most respectable ranks of society. He has since, we believe, served with honour and credit to himself in the army of one of our European allies, in which he obtained the rank of colonel, and at this time he holds an important trust in a colony newly formed at New Zealand.

The following case, which is mentioned in the Continuation of Rapin, will no doubt prove interesting as illustrative of the circumstances which we have just detailed: — "During this session of parliament (1690, 3rd William and Mary) happened an incident which made a great noise. Captain James Campbell, brother to the Earl of Argyle, on the 14th of November, forcibly seized on Miss Mary Wharton, daughter and heiress of Sir George Wharton, a fortune, as it was said, of 50,000*l.*, and about thirteen years of age. She was carried away from her relations in Great Queen-street, and married against her will.

Digitized by Google

The next day his majesty issued his royal proclamation for apprehending Mr. Campbell and the abettors of this unwarrantable action, and Sir John Johnston being apprehended, was tried, condemned, and executed at Tyburn, notwithstanding great application was made to the king and the relations of the bride to save his life; which was thought the harder, as it appeared upon his trial that Miss Wharton had given evident proofs that the violence Captain Campbell used was not so much against her will as her lawyers endeavoured to make it. Not long before, there was a bill brought into the House of Commons to prevent clandestine marriages, which it was thought this incident would have accelerated, but it dropped. However, another bill was brought into the House of Commons the 4th December, to render void the marriage between Miss Wharton and Mr. Campbell, which, notwithstanding the Earl of Argyle petitioned against it on behalf of his brother, passed both houses by the 13th of December."

It may be well to state that considerable doubt was at first entertained as to the nature of the offence committed by the defendants in this case. By an act of 3 Henry 7, c. 2, it was made a capital felony to carry off and marry women, being of substance or heirs apparent, forcibly. There was another statute, 4 & 5 Philip and Mary, which referred to the abduction and marriage of such women without force; but there were subsequent statutes by which those provisions which rendered the offence capital were repealed. The proceedings against the defendants therefore assumed the more lenient form which we have described.

It is only necessary for us further to state, that Miss Turner was subsequently married to Mr. Legh, a gentleman of wealth and consideration in the north of England, but that she unfortunately died in giving birth to her first child.

JOSHUA SLADE.

EXECUTED FOR THE MURDER OF THE REV. J. WATERHOUSE.

THE circumstances attending this atrocious case will be best described and understood by the repetition of the confession of the murderer, while lying in the jail at Huntingdon after his conviction of the offence for which he was executed.

It would appear that the unfortunate gentleman who was the victim of his crime was a person of most eccentric habits. He was possessed of a rectory, at Stukeley, near Huntingdon, of the value of about 400*l.* a year; and attached to the land which he held was an elegant rectory-house. His habits of parsimony had induced him to give up the occupation of the greater portion of this dwelling as a residence; and he had stored many of the best rooms, furnished as they were, with grain, the produce of his farm. A like feeling had excited in his mind an indisposition to pay taxes for more windows than were absolutely necessary to give light to the apartment which he used; and out of about forty windows in his house, two only were suffered to remain. He lived constantly in the kitchen, without any regular female domestic, and performed the office of cook for himself and his workmen. Every Saturday the reverend gentleman walked to Huntingdon market, a distance of between three and four miles, frequently

Digitized by Google

driving his pigs before him; and after having transacted his farming business, he used to carry home his tea and sugar, and other necessaries for the week, in a basket. His known parsimony appears to have induced the criminal to commit the foul crime of which he was guilty.

It seems that Mr. Waterhouse was about fifty-five years of age; and the house which he occupied was situated nearly in the centre of the village of Stukeley, but stood alone in the farm-yard about fifty yards from the street. On the morning of Tuesday, 3rd July, 1827, the reverend gentleman arose at about five o'clock, and was occupied until about ten with his farming business. He then gave some instructions to one of his workmen, and retired to his own house; and between this hour and eleven o'clock the murder was accomplished. The body was first discovered by two farm-boys, who found it lying in a mash-tub; but in consequence of the eccentricity of the deceased, they were induced to suppose that he was only joking, and they took no notice of the circumstance. The truth, however, was eventually discovered, and it was found that the unfortunate man had been murdered in a most barbarous manner. Suspicion at once attached to Slade, who eventually confessed himself to have been guilty of this most atrocious crime, and he was taken into custody. Circumstances were then discovered which left little doubt of his being the guilty person, and upon his trial the jury returned a verdict to that effect. Considerable anxiety was entertained in reference to the case by the learned Judge, who deemed the evidence inconclusive; and the trial having taken place on the 1st of August, he respited the unhappy prisoner until the 1st of September, in order that further inquiries might be made. On the 2nd of August, however, the convict confessed the crime in the following terms:—

"On the morning of the 3rd of July, 1827, I went direct from the Swan public-house at a quarter past two, and got over the garden-wall. I was then fresh. I saw Peter Soby at his door. I went to a straw wall near the dove-house, and laid there till five in the morning. I had a sword hid in the straw wall about five weeks, which I had stolen from the Horse and Jockey public-house, Huntingdon. I drew the sword out, and left the scabbard in the wall, and I put the sword down my trousers by my thigh. On my going out, I saw Mr. Waterhouse in the yard; but he did not see me. The garden-door of the house was not fastened, and I went to it and opened it; and I went up stairs and hid myself in the wool chamber from five until ten o'clock, intending to rob the house at night. While lying there, I went to sleep, and I dare say I snored. Mr. Waterhouse happening to come up stairs, heard me breathe; and coming into the room, he exclaimed, 'Hollo! who are you? what do you do here?' I then got up, drew the sword and laid hold of him. He wanted to go into the room where his blunderbuss was, but I would not let him. I led him down stairs, but nothing was said. He attempted to get away, but I would not let him; and when we got to the ground floor, I said, 'Now, Mr. Waterhouse, if you'll forgive me, I'll forgive you; and if not, this is your death-warrant' (holding up the sword.) He said, 'No, I will suffer anything first.' I then let him go, and he went to run by to the kitchen-door to call somebody; but just as he turned into the kitchen I caught him a backhanded blow across the jaw, and he reeled back, caught himself against the tub, and fell backwards into it. While in this situation,

Digitized by Google

I struck him several times; and he guarded the blows off with his arm. He laid hold of the sword twice; upon which I drew it out of his hands and cut his fingers. I also stabbed him in the throat, which was the last blow; and he then said, 'I'm done,' and died immediately. There was no blood on me except on my finger, and one spot on my waistcoat, and that I wiped out directly. I didn't hear the dog bark all the time; and he wouldn't bark at me, for he knew me. The kitchen-door leading to the yard was wide open all the time, but no person came near the house. Having committed the murder, which was all finished by ten minutes past ten o'clock, I immediately ran out of the house, and I turned to the right and threw the bloody sword among some young trees. I ran away, and continued at work until seven at night; and then I went home, had my supper, and went to bed."

A search was made immediately after the confession for the sword, and it was discovered in the place pointed out. It was lying within a few paces of the scene of the murder, and it is strange that it should have remained so long undiscovered.

The wretched man after this confession applied himself zealously to the performance of his religious exercises, and underwent the dreadful sentence of the law at Huntingdon on the 1st of September 1827.

WILLIAM MILLER.

EXECUTED FOR THE VIOLATION AND MURDER OF MARY ANNE LANE.

THIS extraordinary and most horrid case, which for a considerable time excited a very great degree of interest in the county of Warwick, where it occurred, and which in many respects much resembles that of Abraham Thornton and Mary Ashford, occurred at a place named Bishop's Itchington, near Harbury-field. The trial came on at Warwick on Friday, August 24th, 1827, when the prisoner William Miller, who was a man thirty-five years of age, was indicted for the wilful murder of Mary Ann Lane, on the night of the 26th of May, by casting her into a pond at Harbury. The material facts which were proved in evidence, were that the prisoner was a labourer, in the service of Mr. Heath, a farmer, at Harbury; and that the deceased had been formerly a wet-nurse in that gentleman's family, being married to a labourer in the same employment. On the 26th of May, Mr. Heath gave an entertainment to all the servants, labourers, and other persons, who were then, or who had been previously employed by him. The prisoner, the deceased, and the husband of the latter were at the entertainment, and some conversation took place between the two former persons with regard to the return home of the female. At about a quarter before eight, the deceased started on her way home, taking the accustomed path into the high-road leading towards Bishop's Itchington, which was situated at a distance of about two miles. The prisoner was then talking with a man named Bentley, and remarking the departure of the woman, he said "he'd be d—d if he didn't go home with her;" and going away, he took a short cut across the fields, so as to intercept her in the high road. From this time nothing was seen of him until ten o'clock at night; and then he was near his own residence at

Digitized by Google

Harbury, which was about a mile nearer to Mr. Heath's than Bishop's Itchington, but lay a considerable distance to the left of the road leading to that place. Mrs. Lane did not return home that night; but the murder was not discovered until the following day, when Mr. Abraham Pratt was passing over Harbury-heath, in company with his brother, and he saw something black in a pond there, and an umbrella sticking up above the surface. His brother also picked up a pair of pattens; and then, upon their raking out the black substance which they had seen, they found it to be the clothes, covering the murdered body of Mary-Anne Lane. Upon their examining the spot, they observed appearances, as if some struggling had taken place, and they also saw marks in the clay of a man's boots, and of what seemed to be knees, covered by corduroy trousers. The body of the deceased was removed from the pond, and upon an examination taking place, little doubt was left, that the unhappy woman had been violated, and then barbarously murdered. In the course of the day, the prisoner was taken into custody by direction of Mr. Heath, when he admitted having accompanied the deceased as far as the gate leading to the heath; but declared that he had there quitted her, and had returned home by the foot-path. His house was afterwards searched, and a pair of corduroy trousers was found steeped in a tub of water. Upon the shoes, which he wore on the previous day, being demanded, he took them from his feet, and their soles were found to correspond exactly with the foot-marks in the neighbourhood of the pond. The prisoner was then conveyed in custody to the New Inn, and there a long conversation took place with regard to his family. He repeatedly admitted that he had "done it," and expressed some anxiety to know whether, if he pleaded guilty, he should escape transportation. On his being conveyed to Warwick jail, he declared, that it was drink that had instigated him to the deed. He said that on his going from Mr. Heath's house, he met the deceased and accompanied her as far as Harbury's Poor Piece, that he there offered some familiarities to her, but that she was very awkward, and would not consent, on account of his being so drunk; with that he caught hold of her, and threw her down, and she began to make a noise. He put his hand upon her neck to prevent her from hooting, and scratched it, and she fainted away. He was frightened and carried her down to the pit, and threw her in. She revived and came to the edge of the pit, but he caught hold of her and threw her in again, falling in with her. He was up to his middle in water, and he held her head down till she was dead, and then he came out of the pit very much frightened. Upon this the prisoner was fully committed for trial.

The circumstances already detailed having been proved in evidence before the jury, a verdict of Guilty was immediately returned, and the wretched man received sentence of death.

He was executed in pursuance of his sentence on the 27th of August, 1827, professing sincere repentance of the crime of which he had been guilty.

Digitized by Google

WILLIAM JONES.

TRIED FOR THE MURDER OF ELIZABETH JEFFE.

A MURDER, equal in atrocity, and somewhat simi'ar in its circumstances to those of Mr. Bird and his housekeeper at Greenwich, was committed on the night of Monday, 1st January, 1828, upon the body of a woman seventy-five years old, named Elizabeth Jeffe, who had the care of an unoccupied house belonging to a respectable gentleman named Lett, and situated at No. 11, Montague-place, Russell-square.

It appears that Mr. Lett resided at Dulwich, and the house in Montague-place, which he had formerly occupied, being to let, he had placed the unfortunate Mrs. Jeffe in it to take care of it, and to exhibit its rooms to any person who might be desirous of renting it. On the evening of Monday, the 1st January, she was last seen alive by Gardner, the pot-boy of the Gower Arms public-house, Gower-street, who delivered a pint of beer to her, and then she was in conversation at the door with a young man, dressed in a blue coat, and wearing a white apron. On the following day the house remained closed contrary to custom, and some suspicion being entertained that something serious had occurred to cause this unusual circumstance, information was conveyed to Mr. Justice Holroyd, who resided in the same street, whose butler, with the porter of Mr. Robinson, an upholsterer, proceeded to the house. Some difficulty was at first experienced in obtaining admittance; but the back area door having been forced, the unfortunate woman was found lying in a front room on the basement story, with her throat dreadfully cut and quite dead. Mr. Plum, a surgeon of Great Russell-street, was immediately sent for, and on his arrival, he proceeded to an examination of the person of the deceased. He found that she had been dead during several hours, and that her death had obviously been caused by the loss of blood occasioned by the wound in her throat, which extendod through the windpipe and gullet, and the large vessels on the right side of the neck. The handkerchief of the deceased had been thrust into the wound, but from the appearances which presented themselves, it became obvious that the foot and not the hand had been employed to place it in the position in which it was found. On the left collar-bone there were some bruises, as if produced by some person's knuckles, and upon the thighs there were similar marks, as well as some drops of blood, but no wound was discovered besides that in the throat, to which death could be attributable. Upon a further inspection of the deceased's clothes, it was discovered that her pockets had been rifled; but although the kitchen drawers were open, and bore the bloody impress of fingers, and a work-basket was similarly stained, there was nothing further to show that the object of the murderer, which was evidently plunder, had been attained. The neck-handkerchief and cap-ribbon of the wretched woman were cut through, apparently in the effort to inflict the wound, and independently of the opinion of Mr. Plum, that the deceased could not have cut herself to such an extent, the fact of her death being caused by the hand of another was clearly shown, by the absence of any instrument with which the wound could have been inflicted, although part of a razor-case was found lying on the floor. Upon an

Digitized by Google

examination of the house being made, it was found that the hall door was merely on the latch, and the furniture in the parlour presented an appearance which showed that the murderer had gone into that apartment after the death of his victim. A publication headed "The State of the Nation" was found there smeared with blood, and a doe-skin glove for the right-hand, on which marks of blood were also visible, was discovered lying on the floor.

From circumstances which came to light, the officers who were employed to endeavour to trace out the perpetrators of this atrocious murder, were induced to suspect that Charles Knight, the son of the deceased, was in some measure implicated in its commission. By direction of Mr. Halls, the magistrate of Bow-street, who throughout the whole case exhibited the most unremitting desire to secure the ends of justice, therefore, he was apprehended at his lodgings in Cursitor-street; but upon his being questioned, he gave a clear and unembarrassed statement of the manner in which he had been engaged during the night of the murder, and inquiry having proved this to be true, he was ordered to be discharged.

The police were now completely at a loss to fix upon any person as being open to suspicion. The man who had been seen in conversation with the deceased at the door of her house, however, appeared to be pointed at by common consent, and an accident soon pointed out a person named William Jones as the individual suspected. It was learned that he had been in the habit of calling upon the deceased at her master's residence, and that he was a seafaring man; but beyond these circumstances, and that he had been living in Mitre-street, Lambeth, nothing could be learned of him or his pursuits. On inquiry being made at his lodgings, it was discovered that he had absconded, and the suspicion of his guilt, which was already entertained, was greatly strengthened by this circumstance. A reward of 10*l.* was offered for his apprehension, and by a remarkable accident on Monday the 13th January he was taken into custody by a city officer, on a charge of stealing a coat. He was then taken to Guildhall office, but Salmon, the Bow-street officer, having claimed him on this charge, he was delivered over to his custody, and by him conveyed to Bow-street. He there most strenuously denied that he was at all implicated in the murder, although he admitted that "he had done other things," but he was remanded for the production of further evidence. From subsequent inquiries, it was learned that he was the son of Mr. Stephen Jones, a gentleman well known in the literary world as the author of a dictionary called "Jones' Sheridan Improved," and as the editor of a journal published in London. This gentleman, who died only a short time before the Christmas preceding the murder, left two sons, who possessed considerable talents, but who were too much inclined to habits of dissipation. William Jones had gone to sea, but latterly, on his return, being so much straitened in his circumstances as to be sometimes in actual want, he had occasionally visited Mrs. Jeffe, who was a kind-hearted woman, and who, from the respect which she bore his family, had often relieved his necessities. At the time of his apprehension he was twenty-five years of age, and was dressed in a blue coat, as described by Gardner, the pot-boy, by whom he was seen talking to the deceased. Upon his subsequent examinations, the material facts which were proved against him were, that he had been living with a young woman, named

Digitized by Google

Mary Parker, who generally went by the name of Edwards, in Wootton-street, Lambeth; but that on the 27th of December, he suddenly removed with her to Mitre-street. During the latter part of his residence in Wootton-street, he was in extremely bad circumstances, and on the 31st of December, he and his paramour were entirely without food or money. On that night he quitted Parker in Fleet-street, and appointed to meet her at the same place at half-past twelve o'clock, and at that hour he came to her, as she was standing near Serjeants' Inn, in a direction from Shoe-lane. He then had money and treated her to something to drink; and on the following morning he went out for an hour, but returned, and now produced a considerable quantity of silver money, with which they were enabled to redeem some clothes, which had been pawned, and afterwards to go to the Olympic Theatre. In the course of the ensuing week, the prisoner was observed to be anxiously endeavouring to prevent the discovery of his new residence, by going home by circuitous routes, and other means, and was heard to declare his apprehension that some officers were in search of him; but the most important circumstances proved were, first, that of the prisoner having a severe cut on his left thumb, when he was taken into custody, which appeared to have been recently inflicted; and secondly, that the razor-case, which was found lying near the body of the deceased woman, had been lent to the prisoner, on the Sunday before the murder, with a razor, by Mrs. Williams, with whom he had formerly lodged. Upon proof of these facts, the prisoner was fully committed for trial; but strong as the suspicion was against him, it proved to be insufficient in the minds of the jury, before whom the case was tried, to warrant them in returning a verdict of guilty.

The case came on at the Old Bailey sessions, on Friday the 22nd of February, when considerable curiosity was exhibited by the public. The court was crowded to excess at an early hour, and its avenues were thronged until the conclusion of the proceedings. The prisoner was put to the bar at ten o'clock, and pleaded Not guilty, to the two indictments preferred against him; the first for the murder, and the second for stealing a coat, the property of George Holding. Having been given in charge to the jury in the first case, the evidence which we have given in substance, was detailed by the various witnesses. The prisoner on being called on for his defence read a paper, in which he complained of the prejudices which had been excited against him, and solemnly asserted his innocence of the crime imputed to him. He entered into a long argumentative statement, contending that no grounds whatever existed for believing him guilty of the murder; and witnesses having been called on his behalf, who swore that his disposition was both mild and humane, the trial terminated at twelve o'clock at night, when the jury returned a verdict of Not guilty.

The prisoner was arraigned on the next day upon the second indictment, when he withdrew the plea which he had put on the record, and confessed himself guilty. At the following sessions, held in the month of April, he was sentenced to be transported for seven years; in pursuance of which, he was sent to Van Diemen's Land. Some surprise was excited at his having escaped thus easily from the hands of justice, as it was known that there were charges of forgery to a considerable extent pending against him; and it was suggested that some persons of respectability and good standing had interested themselves in his behalf.

Digitized by Google

Digitized by Google

Howard assaulting Mr. Mullay.

P.141. Vol.2.

London Published by Thomas Tegg Cheapside

Digitized by Google

It has been reported, that he has been executed in Hobart Town, for bush-ranging, and that before his death he confessed himself guilty of the murder for which he was tried; but although the idea gained currency at the time of its being thrown out, we have no means of ascertaining the degree of credit to which the story is entitled.

WILLIAM HOWARD.

CONVICTED OF AN ASSAULT WITH INTENT TO ROB.

THE case of this prisoner exhibits a degree of profligacy and bloodthirsty hardihood, scarcely excelled in any instance in the whole course of the annals of crime. The culprit was a man whose appearance and conduct showed him to have received a good education, and to have been in the habit of moving in a respectable sphere of life. Of his history, however, we are unable to give any distinct account; and there is great probability that the name under which he was tried, was assumed for the purpose of concealing his real character.

The prosecutor on the indictment preferred against the prisoner, was a Mr. Mullay, an Irishman, and it appears that, being desirous to obtain some mercantile employment, he advertised in the newspapers, offering a loan of 800*l.* or 1000*l.* to any person who should be able to introduce him to such a situation as he desired. On the 6th of February 1828, he received an answer in the following terms:—"If J. L. will have the goodness to call upon Mr. Howard, No. 36, Red Lion-square, Holborn, to-morrow or the next day, between the hours of twelve and four o'clock, he will no doubt hear of something that will suit him." For some time Mr. Mullay paid no attention to this note, but at length on Friday the 15th of February, he called at the house to which he was directed. It was a house in which a society, called the "London Co-operative Society," held their meetings; and upon his making known his errand, he was introduced to Howard. Having mentioned the object of his call, the latter immediately became very communicative upon the subject of the advertisement. After a short conversation, in which he stated that he was a relative of a gentleman who had great interest in procuring lucrative situations, Mr. Mullay explained that his object was not to purchase a place, but only to advance money, in consideration of his receiving an appointment, upon proper security, but without interest. "Step up stairs then," said Mr. Howard, and they immediately proceeded to an attic at the back of the house, peculiarly adapted for the commission and concealment of the sanguinary attack, which was eventually made. The conversation on the subject of the required loan was here renewed; and it was at length agreed that Mr. Mullay should be at the same place at one o'clock on the next day, prepared to produce the cash, and that Mr. Owen, who was represented as the party whose interest was to be employed, should then also be in attendance. On the following day, Mr. Mullay and Mr. Howard were punctual to their appointment, and again proceeded to the room which we have already described, but Mr. Owen did not make his appearance, and two hours were spent in awaiting his arrival. In the course of this time some conversation took place between Howard and his intended victim, in which the former managed to discover that Mr. Mullay had provided him-

Digitized by Google

self with 500*l.* to meet the anticipated demand. The manner of Howard during the whole of this conference was such as to excite some degree of suspicion on the part of Mr. Mullay. He observed that he frequently eyed him, as if to ascertain their comparative strength, and the presence of a large clasp knife, and of a heavy trap-ball bat in the room, for which their owner gave no very satisfactory reason, did not serve to alleviate the apprehension which he entertained. Although he was considerably alarmed at these circumstances, he felt indisposed to give credit to the suspicions which flashed across his mind; and at length he quitted the house, promising to call again on the following Monday, in the anticipation of then seeing Mr. Owen. On that day that gentlemen was still not forthcoming, and another appointment for Tuesday at twelve o'clock was made, Howard cautioning him "to be sure not to forget the money." At twelve o'clock on Tuesday Mr. Mullay called, and he was immediately introduced to the same little room at the back of the house. Howard was there, and appeared to be labouring under an extraordinary degree of excitement and agitation. A conversation was commenced, but was sustained with great inequality; and at length Howard directed Mr. Mullay to write Mr. Owen a note from a copy which he handed to him. Mr. Mullay acquiesced, and taking off his great-coat, hung it up in the room; but he had scarcely commenced writing, when he observed his companion thrust the poker violently into the fire. Mr. Mullay did not relish this extraordinary proceeding, and removed the poker; but he had scarcely resumed his seat, when Howard, as if driven on by some feeling which he could not control, suddenly locked the door, and seizing the bat and knife, already referred to, commenced a violent attack upon him. Mr. Mullay at once perceived that robbery and murder were intended, and rushing at his antagonist, he determined to make a desperate resistance. Blow followed blow from the bat upon his head; and he would, doubtless, have been severely injured with the knife, which his assailant retained in his left hand, had he not by a violent wrench succeeded in breaking it in two—an effort, however, which he did not make without receiving some severe cuts upon his hands. The struggle meanwhile continued for life or death, the blood flowing copiously from the wounds which Mr. Mullay had received from the bat, by which his vision was almost obscured. Cries of "Murder" were repeated by the unfortunate gentleman, but his assailant, who seemed determined upon finishing him, declared that it was of no use, for that he had assistants at hand, who would aid him in "doing for him." Desperate with the idea that his life would be violently taken from him, Mr. Mullay redoubled his cries, and rushing from his assailant, he thrust his hands through the windows to render his voice audible to the neighbourhood. Seizing the poker, he resolved to make one final effort, and dashing his assassin antagonist to the ground, he fell upon him, and a frightful struggle ensued. Mr. Mullay being the stronger man, however, he got his knee upon the other's chest, when the approach of footsteps outside the door was heard. He now gave himself up for lost, supposing that new enemies were come to attack him, but he had resolved to sell his life as dearly as he could, when, to his surprise, Howard begged for quarter. Imagining that this might be only a subterfuge, he determined not to give up the advantage which he had obtained; but Howard, repeating his anxiety to be allowed to rise, and declaring that he had no intention of doing him

Digitized by Google

any harm, he at length permitted him to get up from the floor. The door being then immediately opened, the people of the house entered the room, and the street keeper of Red Lion-square being called in, the culprit was secured. The room, as well as the persons of the prisoner and Mr. Mullay, were found to be deluged with blood; and the latter gentleman having been attended by a surgeon, was discovered to have received wounds of a dangerous character.

The prisoner was immediately conveyed to Hatton Garden police-office, where he made a vehement appeal to the magistrates, and positively denied any intention to assassinate the prosecutor. He declared that he was labouring under extreme ill-health; and that unless he was immediately supplied with an ounce of opium, his death would be the consequence. He was committed to Newgate to take his trial, and upon inquiry being made, it was learned that he was in a state of extreme want.

On Tuesday the 26th of February, the prisoner took his trial at the Old Bailey. Mr. Mullay having been examined as to the circumstances already detailed, the prisoner read the following account of the transaction. He said that he had resided in Red Lion-square for about three weeks, at the time of his being taken into custody. His circumstances during that time were certainly bad; and having consulted with an acquaintance, who passed by the name of Owen, and who was equally badly off, as to the best mode of relieving their pecuniary wants, they adopted the following plan. Perceiving the prosecutor's advertisement, they determined, if possible, to induce the advertiser to lodge his money in some banking-house in the joint names of himself and Owen. They imagined that this deposit would enable them to refer to the banking-house, as to their respectability, and by that means obtain credit to a considerable amount. Having answered the advertisement, Mr. Mullay called upon him, and he intimated to him, that there was a situation under Government, which was vacant, the value of which was about 350*l.* per annum; and that Mr. Owen would be able to procure it for him, provided he consented to pass as his relative; and that the return which they expected was the deposit of three years' salary in the hands of a banker, to be paid over at the end of three months as a premium. Mr. Mullay appeared to consent to this proposition, and several appointments were made to carry out the agreement, at which Owen, it was expected, would attend. On the Tuesday, Mr. Mullay waited for a considerable time, and having already experienced great disappointment in not seeing Mr. Owen, in order that the affair might be finally settled, he expressed himself in no measured terms of the neglect which had been exhibited towards him. Being in bad health and of an irritable disposition, he (the prisoner) became enraged at an offensive epithet which was applied to him, and struck the prosecutor a blow in the face. A violent scuffle took place, in the course of which, finding that the prosecutor was superior to him in size and strength, he admitted having exerted himself to the utmost in his own defence.

The jury, however, notwithstanding this ingenious version of the case, found the prisoner guilty of an assault with intent to rob, and he was sentenced to be transported for life.

Digitized by Google

CAPTAIN JOHN BURGH MONTGOMERY, *alias* COLONEL WALLACE, *alias* COLONEL MORGAN.

CONVICTED OF FORGERY.

THE circumstances which were proved in evidence against this individual showed that he was to a very great extent implicated in the uttering of forged bank-notes. The unfortunate gentleman, who appears to have been most respectably connected, there can be little doubt had long subsisted upon the produce of his illegal trade; but it was not until Monday the 1st of April 1828 that he was apprehended. He was then charged at Marlborough-street police-office, with having passed a forged 10*l.* note at the shop of Mr. William Newby, a silversmith, at No. 3, Southampton-row, Russell-square, in payment for half-a-dozen silver tea-spoons. The note turned out to be forged after it was paid to Mr. Newby, and the prisoner, having already subjected himself to some suspicion, was taken into custody at a house where he lodged in Great Ormond-street. Subsequent inquiry proved that he had been guilty of other almost innumerable acts of forgery, and several cases having been completed against him, he was committed for trial.

At the ensuing Old Bailey sessions, no fewer than six indictments were preferred and found against him; and upon his being arraigned upon the 29th of May upon the charges, he at once pleaded guilty, declaring that he had made up his mind to suffer the punishment due to his crimes. At the conclusion of the session, sentence of death was passed upon the unhappy man; and on Saturday the 28th of June, an order arrived at Newgate that his sentence should be carried into effect. From the time of his conviction, Montgomery addressed himself with great anxiety to his religious offices, and, from his general demeanour, it was believed that he would meet his fate with firmness. Friday the 4th of July was fixed upon as the day on which the sentence of the law should be carried into effect; and on the Thursday night he employed himself in writing several letters, one of which was addressed to Mr. Edward Gibbon Wakefield, who was his fellow prisoner, and his frequent companion in jail. Mr. Cotton, the rev. ordinary, afterwards visited him, and read to him the celebrated sermon of the late Dr. Dodd. At the hour of locking up, Mr. Harris, the jailor, in whose care he was, searched him, and there was nothing then perceptible to warrant a supposition, either that self-destruction was contemplated by the unhappy man, or that his health was so impaired as to lead to the possibility of his sufferings being terminated by natural means. The last thing he said to Mr. Harris was, "Shall I see you in the morning?" and then, without waiting for a reply, he continued, "If I do not, I shall leave a letter for you." He then shook hands with the jailor, and was left apparently quite cheerful.

On Friday morning at six o'clock, the door of his cell was opened, and on the bed, stretched at full length, was seen the body of John Montgomery, cold and breathless. The sensation created by this discovery within the jail was most extraordinary; and the assistance of Mr Box, the surgeon of the prison, having been immediately procured, every effort was made to restore suspended animation, and, when that was found un-

Digitized by Google

availing, to ascertain the cause of death. An investigation was immediately set on foot by the sheriffs; but they failed to discover any circumstance from which it could be inferred that the deceased had been assisted in his design, by any person in or connected with the jail. All search to discover the means of causing death for some time proved ineffectual, but at length, in one corner of the cell, a small phial was found, labelled "Prussic Acid," which at once unravelled the mystery of the unhappy man's death. It was supposed that he had carried about his person, ever since he had commenced the practice of passing forged notes, what he looked upon as an "antidote against disgrace;" but, to say the least of it, he must have been exceedingly ingenious to have concealed the poison so long after his apprehension, as he was frequently searched, supposing that he had employed the same drug to destroy himself, which he possessed before his committal to Newgate. Upon an examination of the letters, to which we have alluded as having been written by him on the night before his death, it was found that in one, which he had addressed to Mr. Box, he gave up his body to be dissected, expressing a wish, however, that the heart should be preserved in spirits and conveyed to a female to whom he had long been fondly attached. In that which he wrote to Wakefield, he alluded to their short acquaintance in the jail, and declared that he was perfectly ready to pass into another world; although his letter contained no reference to the means by which the transition should take place. A third letter was found, addressed to the female mentioned in the communication to Mr. Box; but in neither of them was there any allusion to the mode by which he intended to terminate his existence.

On the following day a coroner's inquest was held on the body of the deceased man, when a verdict of *felo de se* was returned; and his remains were interred at ten o'clock at night, in the grave-yard adjoining St. Sepulchre's church.

This unfortunate man, who gave his age in Newgate as only thirty-three, was, in fact, nearly forty years old; but his appearance bore out the assertion which he made. He was born in the town of Naas, in the county of Kildare, about fifteen miles from Dublin. His father had been a corn and flour merchant, and a considerable holder of land; and having by dint of industry amassed a large sum of money, he became a magistrate for the county of Kildare, and was much respected. He had four children besides the unfortunate subject of this sketch, namely, two females, who were respectably married, and two sons, one of whom was a lieutenant-colonel in the British service, while the other was a solicitor, and the senior partner in a firm of great respectability in Dublin. The deceased was early in life of a dissipated turn, and quitted home to take a commission in a foot regiment, which had been procured for him, in order to keep him out of harm's way. He soon retired from the army, however, although he retained the title given to him by his commission. At an early period of his career, he became an adept at forgery; and counterfeited the signature of the Hon. Mr. Neville, at that time M.P. for the county of Kildare, who wrote an extremely cramped and illegible hand, to such a degree of perfection, that that gentleman himself was only able to detect the imposition by the fact, that he had never placed his signature to an instrument like that which had been forged. Young Montgomery escaped prosecution in this instance, on account of the respectability of his family, and he

Digitized by Google

shortly after came to London. He there assumed the airs of a person of fortune; mixed in good society, and for a considerable time lived upon "his appearance." His cheats and swindling were of daily occurrence; and in one instance, having been detected in a transaction of no very honest character, he only escaped punishment by refunding such portion of the money which he had obtained as he had not spent, and by giving up his watch and trinkets to make up the deficiency. He was frequently in prison for debt; first in Newgate, and afterwards in the King's Bench, and after his discharge from the latter place, where he had undergone a detention of three years' duration, he was on the point of marriage with the daughter of a gentleman of respectability, to whom he had represented himself as his brother, Colonel Montgomery, when the fraud was discovered, and the match broken off, at the very moment when it was about to be completed. Being now reduced to the lowest ebb, and having no longer any chance of living upon credit, he resorted to the circulation of forged bank-notes as affording him the only means left of obtaining a livelihood.

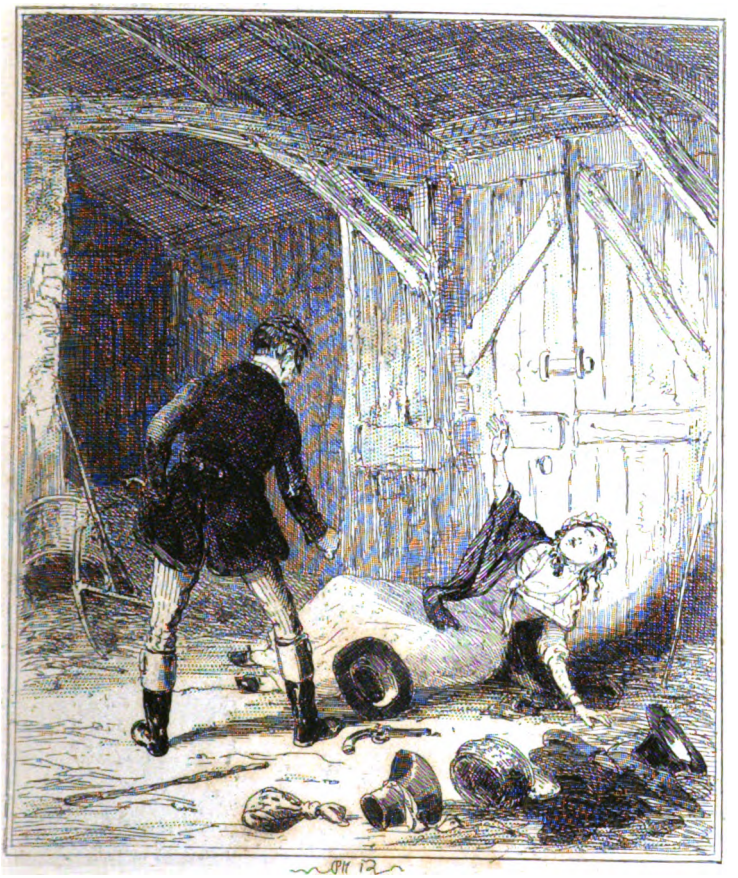
WILLIAM CORDER.

EXECUTED FOR THE MURDER OF MARIA MARTEN.

THE murder for which this most diabolical criminal merited and justly underwent condign punishment, rivalled in cold-blooded atrocity that of the unfortunate Mr. Weare, and was as foul and dark a crime as ever stained the annals of public justice. The wretched victim of his offence was born in July 1801, and was brought up by her father, who was a mole-catcher at Polstead in Suffolk, where she received an education far superior to her situation in life. Possessed of more than ordinary personal advantages—a pretty face, and a fine form and figure—it is little to be wondered at that she was beset by admirers; and that, artless and inexperienced as she was, she should have imprudently fixed her affections upon an unworthy object. An unfortunate step ruined the character of the young woman, and a second mishap with a gentleman of fortune, residing in the neighbourhood of her father's house, left her a child, which at the time of her death was three years and a half old. About the year 1826 she formed a third *liaison* with the man who became her deliberate murderer.

William Corder was the son of an opulent farmer at Polstead, and having become acquainted with the unfortunate girl Marten, the consequence of an illicit intercourse which took place between them, was a child. From that time he became much attached to her, and was a frequent visitor at her father's house. The child died within a short period of its birth, and from the circumstances of its having died suddenly, and of Corder having taken it away at night, and disposed of its body in a manner which he would never explain, an idea was entertained that it had come unfairly by its death. However strongly this notion may have taken possession of the public mind, after the apprehension of Corder, it does not appear that any real evidence was ever produced publicly, to support the impression which had got abroad; but certain it is, that the unhappy girl made use of the circumstance as a means of endeavouring to procure

Digitized by Google



Border shooting Farm Yard.

P. 147.

London Published by Thomas Tegg, Cheapside

Digitized by Google

Digitized by Google

the father of the child to fulfil a promise which he had made, that he would make her his wife. On the 18th of May 1827, Corder called at the house of old Marten, and then expressed his willingness that the ceremony should be performed; and he said that, in order that no time should be lost, and that the marriage might be as private as possible, he had made up his mind to have it celebrated by licence instead of by bans. The next day was appointed for the wedding, and he persuaded the unhappy girl to dress herself in a suit of his clothes, so as to secure the greatest secrecy, and to accompany him to a part of his premises called the Red Barn, where she could exchange them for her own, and from whence he would convey her in a gig, which he had in readiness, to a church at Ipswich. The girl having consented to this singular proposition, Corder immediately quitted the house, and he was soon after followed by his unhappy victim, who carried with her such part of her own clothes as would be necessary to appear with in church. In the course of a conversation which took place between Corder and the mother of the girl, before their going away, the former repeatedly declared his intention to make the girl his lawful wife, and he urged as a reason why she should go with him immediately, that he knew that a warrant had been issued against her, for her bastard children. Within a few minutes after Corder had quitted the house, he was seen by the brother of the girl walking in the direction towards the Red Barn, with a pick-axe over his shoulder; but from this time nothing was ever heard of the unfortunate girl, except through the fictitious communications received from Corder, who still remained at his mother's house at Polstead. The return of Maria Marten had been expected to take place within one or two days after the time of her quitting her father's house; but as she had occasionally before exhibited considerable irregularity in the duration of her visits to Corder, and as, besides, there was an understanding that the latter should procure her a temporary lodging, little anxiety or alarm was at first felt at her prolonged absence. A fortnight having elapsed, however, her mother proceeded to question Corder upon the subject, when he declared that she was quite safe and well, and that he had placed her at some distance, lest his friends might discover the fact of his marriage, and exhibit displeasure at the circumstance. Having thus from time to time put off the inquiries which were made of him, in the month of September, declaring that he was in ill health, he quitted Suffolk with the avowed object of proceeding to the Continent; and it is not a little remarkable, that before he left Polstead, he expressed great anxiety that the Red Barn should be well filled with stock, a desire which he personally saw fulfilled. He took with him about 400*l.* in money; and several letters were subsequently received by his mother, who was a widow, as well as the Martens, in which he stated that he was living at the Isle of Wight with Maria. It was remarked that although he represented his residence to be in the Isle of Wight, his letters always bore the London postmark; and at length strange surmises and suspicions began to be entertained, in consequence of no personal communication having yet been received from his supposed wife. The parents of the unhappy girl became more and more disturbed and dissatisfied; and the circumstances, which eventually led to the discovery of this most atrocious crime, are of so extraordinary and romantic a nature, as almost to manifest an especial interposition of Providence in marking out the offender.

Digitized by Google

In the course of the month of March 1828, Mrs. Marten dreamed on three successive nights that her daughter had been murdered and buried in the Red Barn. Terrified at the repetition of the vision, an undefined suspicion, which she had always entertained, that her daughter had been unfairly dealt with, appeared fully confirmed in her own mind; and so lively were her feelings, and so convinced was she of the truth of the augury, that on Saturday, the 19th of April, she persuaded her husband to apply for permission to examine the Red Barn, with the professed object of looking for their daughter's clothes. The grain which had been deposited in the barn had by this time been removed, and the permission having been obtained, the wretched father proceeded to the accomplishment of the object he had in view. He applied himself to the spot pointed out to his wife in her dream, as the place in which her daughter's remains were deposited; and there, upon digging, he turned up a piece of the shawl which he knew his daughter had worn at the time of her quitting her home. Alarmed at the discovery, he prosecuted his search still further, and having dug to the depth of eighteen inches, with his rake he dragged out a part of a human body. Horror-struck, he staggered from the spot; but subsequent examination proved that his suspicions were well founded, and that it was indeed his murdered daughter, the place of deposit of whose remains had been so remarkably pointed out. The body, as may be supposed, was in an advanced state of decomposition; but the dress, which was perfect, and certain marks in the teeth of the deceased, afforded sufficient proofs of her identity.

As may be imagined, the whole neighbourhood was in an uproar of confusion at this most extraordinary circumstance; and information was immediately conveyed to the coroner, in order that an inquest might be held. By the time a coroner's jury had assembled, a surgical examination of the body had taken place; and Mr. John Lawden, a surgeon, proved, that there were appearances yet remaining sufficient to indicate that the deceased had come to her death by violent means. He said that there was a visible appearance of blood on the face and on the clothes of the deceased, and also on a handkerchief which was round the neck; that the handkerchief appeared to have been tied extremely tight, and beneath the folds, a wound was visible in the throat, which had evidently been inflicted by some sharp instrument. There was also a wound in the orbit of the right eye; and it seemed as if something had been thrust in which had fractured the small bones, and penetrated the brain. On the finding of the body, it was partly enveloped in a sack, and it was clothed only in a shift, flannel petticoat, stays, stockings, and shoes.

No sooner had the body been discovered than all eyes turned to Corder as the murderer; and information having been despatched to London, Lea, an officer of Lambeth-street, was forthwith sent in pursuit of the supposed offender. With a loose clue only he traced him from place to place, until at length he found him residing at Grove House, Ealing-lane, near Brentford, where, in conjunction with his wife, whom he had married only about five months before, and to whom, it was said, he had introduced himself through the medium of a matrimonial advertisement, he was carrying on a school for young ladies. It was necessary to employ a degree of stratagem to obtain admission to the house; but at length, Lea, having represented that he had a daughter, whom he wished to put to

Digitized by Google

school, he was introduced to a parlour, where he found the object of his search sitting at breakfast with four ladies. He was in his dressing-gown, and he had his watch before him, with which he was minuting the boiling of some eggs. The officer having called him on one side, informed him that he had a serious charge against him, and inquired whether he was not acquainted with a person named Maria Marten at Polstead; but he denied that he had any knowledge of such a person even by name. He was then secured; and upon his house being searched, a brace of pistols, a powder-flask, and some balls, were found in a velvet bag, which on its being subsequently seen by Mrs. Marten, was immediately identified by her as having been in the possession of her daughter at the time of her quitting her house for the last time. A sharp-pointed dagger was also found, and this was identified by a person named Offord, a cutler, as being one which he had ground for the prisoner within a few days before the murder was committed. The prisoner immediately on his apprehension was conducted to Polstead, in order that he might undergo an examination before the coroner; and the most lively interest was exhibited by the vast crowds of people who had assembled, to catch a glimpse of him on his being brought into the town. On his appearance before the coroner, he was dreadfully agitated; and the circumstances which we have described having been deposed to by various witnesses, a verdict of "Wilful Murder" was returned against William Corder.

The unhappy prisoner was immediately conveyed to the county jail to await his trial; but he had hardly been lodged within its walls, before a new charge, namely, that of forgery upon the Manningtree Bank, was laid against him. It appears, however, that through the intervention of his friends, this case was eventually compromised. The wife of the prisoner, upon his first apprehension, was under an impression that the offence imputed to her husband was that of bigamy; but she was soon informed of the real nature of the allegations made against him. During his detention in jail, she visited him nearly every day; and she continued to declare her belief, that the statements which appeared in the papers with regard to his guilt were untrue; and that he would eventually be relieved by a jury of his country from the foul calumnies which were published against him.

Thursday 7th of August in the same year was appointed for the trial of this malefactor, and the anxiety to witness the proceedings in court, or to obtain early information in reference to the case, which almost universally prevailed, was strongly manifested by the assembling of hundreds of well-dressed persons of both sexes, round the front and back entrances to the Shire Hall, Bury St. Edmunds, as early as five o'clock in the morning of that day. The rain fell in torrents, but many persons braving the weather, remained without shelter until nine o'clock, when the Lord Chief Baron (Alexander) arrived, to try the prisoner. At the moment his lordship gained admission to the court, the scene which presented itself beggars description. The barristers who attended the circuit, amongst whom were to be observed the counsel for the prosecution and the defence, in vain struggled against the pressure of the opposing crowd, and many of them, at the moment they had almost attained their object, were carried back in an exhausted state to the extremest verge of the assembled multitude. When his lordship had taken his seat on the bench, the names of the jury who had been summoned to try the prisoner were called over; but the crowd

Digitized by Google

was so great, and the sheriff's force so ineffective, that it was almost impossible to make way for them into the court. They were after the lapse of nearly an hour brought over the heads of the crowd into the passage leading into the hall; some with their coats torn, their shoes off, and nearly fainting.

Nor was the curiosity of the public confined to the court-house. Hundreds had early assembled at the door of the jail, and along the road leading thence to the Shire Hall, anxious to catch a glimpse of the accused. He left the jail at a quarter before nine o'clock, having previously attired himself with much care in a new suit of black, and combed his hair over his forehead, which he had previously worn brushed up in front. Upon his being called from his cell, he made some inquiries with regard to the number of witnesses who were to be called for the prosecution, and also with regard to the judges by whom he was to be tried, and his queries having been answered, he exclaimed, "Well, whatever may be my fate, I shall meet it with fortitude." He was then removed in a chaise cart from the jail to the Hall, and although he hung down his head all the way, he seemed little affected by the shouts and groans with which he was on all hands assailed. On his being taken to the felon's room, beneath the building, he remarked to Mr. Orridge, the governor of the prison, "What a great number of persons! I scarcely ever saw such a crowd." At a quarter past ten o'clock, the prisoner was brought into court and placed in the front of the dock. For a few moments he conversed with his solicitor, but then he looked up to the bench, and bowed respectfully. On account of the number of challenges made by the prisoner, it was some time before a jury was empanelled. At length, however, the prisoner was arraigned upon the indictment preferred against him. It contained ten counts. In the first, the murder was alleged to have been committed by the prisoner on the 18th of May 1827, by discharging a pistol, loaded with powder and shot, upon Maria Marten, and thereby giving her a mortal wound on the left side of the face; and that by those means, wilfully, feloniously, and of his malice aforethought, he caused the death of the said Maria Marten. The second count laid the offence as having been committed by striking the deceased with a sword upon the left side of the body, between the fifth and sixth ribs, and thereby giving her a mortal wound, of which she instantly died; the third count stated that the murder was committed by striking the deceased with a sword on the left side of the face; the fourth, that it was done by sticking and stabbing her with a sword on the right side of the neck; the fifth, that the prisoner fastened a handkerchief around her neck, and thereby choked her; the sixth, that he killed her by discharging a gun loaded with powder and shot on the left side of her face; the seventh, that he pushed and thrust her into a hole made in the floor of a barn, and, by covering her with large quantities of earth and gravel, suffocated and choked her; the eighth was only technically different from the preceding one; the ninth laid the offence to have been committed by the joint means of sticking the deceased with a sword on the left side, and fastening a handkerchief round her neck; the tenth described it as being done by the joint force of all the felonious acts laid in the whole of the preceding counts—recapitulating the wounds, stabbing, shooting, strangulation, and smothering, as the cause of the death of the deceased.

The prisoner having pleaded Not Guilty, in a firm and distinct voice, the trial commenced. The evidence which was now adduced differed but

Digitized by Google

slightly in effect from the circumstances which we have detailed. Proof was, however, given in support of the first and sixth counts of the indictment, that at the time of the discovery of the body of the deceased marks were distinctly visible, which showed that she had received a pistol-shot or a gun-shot wound; and it was also proved, by the brother of the deceased girl, that the prisoner, at the time of his quitting the house of old Marten on the day of the murder, carried a loaded gun. A number of letters were likewise put in, which had been written by the prisoner to the father of the deceased in reference to his intended marriage with his daughter.

The prisoner, on being called upon for his defence, read a manuscript paper in a low and tremulous tone of voice. He declared that he deeply deplored the death of the unfortunate female in question; and he urged the jury to dismiss from their minds all that prejudice which must necessarily have been excited against him, by the foul imputations which had been cast upon him by the public press. He admitted that the evidence which had been adduced, was sufficient to create some suspicion against him; but he trusted that the explanation which he should give of the circumstances, would at once explain, to their satisfaction, the real bearings of the case. He then proceeded to say, "No man regrets more sincerely than I do the death of the unfortunate Maria, the circumstances attending which I am now about to state; and much have I to regret, that I for a moment concealed them, but I did so because I was stupified and horror-struck at the time, and knew not how to act. You have heard of the nature of my connexion with the unfortunate Maria; that connexion was contrary to the will of my mother, and to conceal her situation, I took lodgings for her at Sudbury, where she was confined. In the usual time she returned to her father's house; in a fortnight after which the infant died—not, as has been intimated, by violence, but a natural death. Being anxious to conceal the circumstance from my friends and neighbours, it was agreed between her father, and mother, and myself, that Maria and I should bury the child in the fields, and we took it away for that purpose. After this Maria returned to my house at Polstead; and by means of a private staircase I took her to my own room, where she remained concealed for two days. The pistols which have been spoken of were hanging up in the room loaded. I had before that shown her the use of them, and on returning to her father's, she, by some means unknown to me, contrived to get the pistols into her possession. It is well known that at that period Maria was much depressed in spirits, and was anxious that I should marry her, although I had reason to suspect that she was at the time in correspondence with a gentleman in London by whom she had a child. My friends objected to the match, and I declined it at the time. But although poor Maria's conduct was not altogether free from blame, I was much attached to her, and at length agreed to her wishes; and it was arranged that we should go to Ipswich and obtain a licence for that purpose. Whether I did or did not say anything about a warrant having been issued by the parish officers for her apprehension, I cannot now pretend to say; but if I did, it must have been because such a report was abroad at the time. It was agreed that Maria should go in male attire to the Red Barn so often mentioned in the course of the trial. You have heard from the mother of the unfortunate Maria, that she and I had had words. As we proceeded

Digitized by Google

to the Barn she was in tears. To that Barn we had often repaired before, and frequently passed the night there. When we reached the Barn, words arose, and Maria flew into a passion. I told her that if we were to be married, and to live together, she must not go on so. Much conversation ensued, and on changing her dress, she at length told me, that if we were married we should never be happy together—that I was too proud to marry her and take her to my mother's, and that she did not regard me. I was highly irritated, and asked her, if she was to go on this way before marriage, what was I to expect after? She again upbraided me, and being in a passion, I told her I would not marry her, and turned from the Barn, but I had scarcely reached the gate when a report of a pistol reached my ear. I returned to the Barn, and with horror beheld the unfortunate girl extended on the floor, apparently dead: I was for a short time stupified with horror, and knew not what to do. It struck me to run for a surgeon; and well would it have been for me had I done so. But I raised the unfortunate girl, in order, if possible, to afford her some assistance; but I found her altogether lifeless; and, to my horror, I discovered that the dreadful act had been committed by one of my own pistols, and that I was the only person in existence who could tell how the fatal act took place. The sudden alarm which seized me suspended my faculties, and I was for some time before I could perceive the awful situation in which I was placed, and the suspicions which must naturally arise from my having delayed to make the circumstance instantly known. I, at length, found that concealment was the only means by which I could rescue myself from the horrid imputation; and I resolved to bury the body as well as I was able. Having done so, I subsequently accounted for her absence in the manner described by the witnesses, saying sometimes one thing to one person, and at other times other things to another. I may be asked why, if innocent of the crime imputed to me, I felt it necessary to give those answers? To which I answer, that some persons are driven to do acts from fear which others do from guilt, which is precisely the case with me in this instance. It may be asked, too, why I have not called evidence to prove the facts I have stated; but, gentlemen, I put it to you whether things do not sometimes take place which are only known to the parties between whom they happen; and what direct proof can I give when the only person who knew of these facts is no more? I can for the same reason give no direct proof of the unhappy woman's having got possession of my pistols. I say pistols, because I found the other loaded pistol in the unfortunate Maria's reticule. As to the stabs and other wounds described by the witnesses, I can only say that no stab or cut was given by Maria or myself; and I firmly believe that the surgeons would never have sworn to them, were it not for the circumstance of a sword having been found in the room in which I was arrested. If any stab did appear upon the body, it must have been done with the instrument used in disinterring it."

Having concluded his address by a strong appeal to the jury upon the probabilities of the case, a number of witnesses were called, who spoke to the prisoner's good character. The Lord Chief Baron summed up, and a verdict of "Guilty" was returned. At this point the prisoner was first observed to raise his handkerchief to his eyes; and during the subsequent passing of the sentence of death, he seemed to be dreadfully affected. On

Digitized by Google

his return to the jail, he seemed to recover his spirits; but the only desire which he expressed was, that he should be permitted to see his wife. To this request an immediate assent was given, and at two o'clock on the Saturday afternoon, she was admitted to the prisoner. The meeting between her and her wretched husband was of a most affecting character, and it did not terminate until near an hour had elapsed. During that evening, the prisoner was constantly attended by the reverend chaplain of the jail; but notwithstanding the religious exhortations which he received, he exhibited no inclination to make any confession of his crime. On the following day the prisoner attended chapel in the customary manner, and during the performance of the service he appeared deeply affected. On his return to his cell, he threw himself upon his bed and wept bitterly for a considerable time. In the course of the afternoon, it was hinted to him that his defence could scarcely be believed; but in answer he said that, "Confession to God was all that was necessary, and that confession to man was what he called popedom or popery, and he never would do it." It was subsequently suggested to him that he must have had great nerve to dig the grave while the body lay in his sight, when his reply was, "Nobody knows that the body lay in the barn and in sight, whilst I dug the hole;" but then, suddenly checking himself, he exclaimed, "O God! nobody will dig my grave." In the course of the afternoon, he had a second and last interview with his wife, and the scene was truly heart-rending. He expressed the most anxious fears with regard to the manner in which she would be in future treated by the world; and implored her, should she ever marry again, to be cautious how she accepted a proposition reaching her through the equivocal medium of a public advertisement. The parting scene was most dreadful, and the wretched woman was carried away from the cell in a state of stupor. After Mrs. Corder had retired, Mr. Orridge, the worthy governor of the jail, made the strongest efforts to induce the unhappy prisoner to confess, pointing out to him how greatly he would add to his crime, should he quit the world still denying his guilt. Corder then exclaimed, "O, sir, I wish I had made a confidant of you before; I often wished to have done it, but you know, sir, it was of no use to employ a legal adviser and then not follow his advice." Mr. Orridge said that there was no doubt that was very proper, up to the time at which he was convicted, but that now all earthly considerations must cease. The wretched prisoner then exclaimed, "I am a guilty man," and immediately afterwards made the following confession:—

"Bury Jail, August 10, 1828—Condemned Cell,
"Sunday Evening, Half-past Eleven.

"I acknowledge being guilty of the death of poor Maria Marten, by shooting her with a pistol. The particulars are as follows:—When we left her father's house we began quarrelling about the burial of the child, she apprehending that the place wherein it was deposited would be found out. The quarrel continued for about three quarters of an hour upon this and about other subjects. A scuffle ensued, and during the scuffle, and at the time I think that she had hold of me, I took the pistol from the side-pocket of my velveteen jacket and fired. She fell, and died in an instant. I never saw even a struggle. I was overwhelmed with agitation and dismay—the body fell near the front doors on the floor of the barn. A vast quantity of blood issued from the wound, and ran on to the floor and through the

Digitized by Google

crevices. Having determined to bury the body in the barn (about two hours after she was dead), I went and borrowed the spade of Mrs. Stowe; but before I went there, I dragged the body from the barn into the chaff-house, and locked up the barn. I returned again to the barn, and began to dig the hole; but the spade being a bad one, and the earth firm and hard, I was obliged to go home for a pick-axe and a better spade, with which I dug the hole, and then buried the body. I think I dragged the body by the handkerchief that was tied round her neck. It was dark when I finished covering up the body. I went the next day and washed the blood from off the barn-floor. I declare to Almighty God I had no sharp instrument about me, and that no other wound but the one made by the pistol was inflicted by me. I have been guilty of great idleness, and at times led a dissolute life, but I hope through the mercy of God to be forgiven.

"W. CORDER."

"Witness to the signing by the said William Corder,

"JOHN ORRIDGE."

On the next morning the confession was read over to the prisoner, and he declared that it was quite true; and he further said, in answer to a question put to him by the under-sheriff, that he thought the ball entered the right eye.

He subsequently appeared much easier in his mind, and attended service in the chapel immediately before his being carried out for execution. He still wore the clothes in which he was dressed at the time of his trial. As allusions were made to his unhappy situation in the prayers which were read, he appeared convulsed with agony; and when the service was over, although he appeared calm, his limbs gave up their office, and he was obliged to be carried to his cell.

At a few minutes before twelve o'clock he was removed from the dungeon in which he had been confined, and conveyed to the press-room, where he was pinioned by the hangman, who had been carried down from London for the purpose of superintending the execution. He was resigned, but was so weak as to be unable to stand without support. On his cravat being removed he groaned heavily, and appeared to be labouring under great mental agony. When his wrists and arms were made fast, he was led round towards the scaffold; and as he passed the different yards in which the prisoners were confined, he shook hands with them, and speaking to two of them by name, he said, "Good bye, God bless you!" They were considerably affected at the wretched appearance which he made; and "God bless you!" "May God receive your soul!" were frequently uttered as he passed along. The chaplain preceded the prisoner, reading the usual Burial Service, and the governor and officers walked immediately after him. The prisoner was supported up the steps which led to the scaffold; he looked somewhat wildly around, and a constable was obliged to support him while the hangman was adjusting the fatal cord. A few moments before the drop fell he groaned heavily, and would have fallen, had not a second constable caught hold of him. Everything having been made ready, the signal was given, the fatal drop fell, and the unfortunate man was launched into eternity. He did not struggle; but he raised his hands once or twice, as if in prayer; the hangman pulled his legs, and he was in a moment motionless. In about nine minutes, however, his shoulders

Digitized by Google

appeared to rise in a convulsive movement; but life, it seemed, had left him without any great pain. Just before he was turned off, he said, in a feeble tone, "I am justly sentenced, and may God forgive me." Mr. Orridge then informed the crowd that the prisoner acknowledged the justice of his sentence, and died in peace with all men. Thus did this unhappy man terminate, by an ignominious death, a life which, judging from his age and healthy appearance, might have been prolonged to an advanced period in comfort and independence.

The mob collected on this occasion was computed to amount to upwards of seven thousand persons, and occupied every spot of ground from which a glimpse of the final scene of the wretched man's life could be obtained. A considerable portion of the persons collected were women; and as soon as the execution was over, they dispersed from before the drop, and proceeded to the Shire Hall, where a large number of persons had assembled in order to obtain a view of the body.

At two o'clock the body was exposed on the table in the centre of the Shire Hall; it was naked from the navel upwards. The crucial operation had been performed, and the skin of the breast and stomach turned back on each side. The body measured, as it lay, five feet five inches in length, and presented a very muscular appearance. The face and throat were somewhat swollen and discoloured, the right eye was open, and the left partially so; the mouth was also open sufficiently to show the teeth. The body was taken to the hospital the next day to be dissected, in pursuance of the sentence.

After the execution a spirited bidding took place for the rope which was used by the hangman; and as much as a guinea an inch was obtained for it. Large sums were offered for the pistols and dagger which were used in the murder, but they became the property of the sheriff of the county, who very properly refused to put them up to public competition. A piece of the skin of the wretched malefactor, which had been tanned, was exhibited for a long time afterwards at the shop of a leather-seller in Oxford-street.

We regret to say that little credit is to be attached to the confession which was made by the unhappy man on the night before his execution; for, taking the case in all its bearings, there can be little doubt that the murder was the result of premeditation. The pistols which the wretched malefactor carried with him had, according to the testimony of witnesses who were called for the defence, long been in his possession; but we are at a loss to know with what object he should have carried them in his pocket, loaded as they were, on the day of the murder, unless with a preconceived intention of taking away the life of his unhappy paramour. Upon consideration of the main features of the case, we fear that, revolting as such a conclusion must be to all persons possessing the common feelings of humanity, it must be supposed that the unhappy Maria Marten was enticed by her bloodthirsty assassin to the Red Barn, for the sole purpose of being there murdered. Corder's possession of the gun and the pistols, as well as the circumstance of his having been seen carrying the pickaxe to the barn, all tend to confirm this belief; and if a motive be looked for sufficient to induce the commission of this most heinous offence, a second murder, namely that of the infant child of the malefactor and his victim, and a desire to conceal a secret which he knew to be in the possession of the latter, and which might have been employed by her to the detriment of her seducer, may be at

Digitized by Google

once assigned. There can be little hesitation in imputing so fearful an addition to his offence as that to which we have alluded to a man, whose cold-blooded villany shines through every passage of his connexion with his miserable victim, and of his subsequent life. His conduct in buoying up the anxious and inquiring hopes of the girl's mother after the murder, in so long residing on the very spot where his crime had been committed, probably in the daily habit of visiting the very barn, which was at once the scene of the death, and the grave of the wretched girl, exhibit him to have possessed a heart callous to the feelings of a man. Frightful, however, as was his crime against society, awful as was the expedient to which he resorted to get rid of what he deemed an annoyance and an obstruction to his wishes and comfort, he committed a no less dreadful offence against the welfare and happiness of the woman whom he made his wife, in permitting her to enter into the bonds of matrimony with him—a wretch, for whom even the punishment which he received at the hands of justice was scarcely retributive; knowing, as he did, that accident, one false step of his own, a persevering inquiry as to the place of abode of the girl Marten, would at once and for ever blast the hopes which she might have formed of future peace and domestic felicity. The mode in which he proceeded in this new insult to humanity, at once exhibited a heart upon which the recollection of past guilt could produce no effect.

The advertisement which he caused to be inserted in the paper was in the following form :—

"A private gentleman, aged twenty-four, entirely independent, whose disposition is not to be exceeded, has lately lost the chief of his family by the hand of Providence, which has occasioned amongst the remainder circumstances the most disagreeable to relate. To any female of respectability, who would study for domestic comfort, and who is willing to confide her future happiness to one in every way qualified to render the marriage state desirable, as the Advertiser is in affluence; many happy marriages have taken place through means similar to this now resorted to. It is hoped none will answer through impertinent curiosity; but should this meet the eye of any agreeable Lady who feels desirous of meeting with a sociable, tender, kind, and sympathising companion, she will find this advertisement worthy of notice. Honour and secrecy may be depended on. As some little security against idle application, it is requested that letters may be addressed (post paid) A. Z., care of Mr. Foster, stationer, 68, Leadenhall-street, with *real* name and address, which will meet with most respectful attention."

The following curious conversation in reference to his marriage is related to have taken place after his conviction.

Attendant: Pray, Mr. Corder, may I ask whether it is true that it was by advertisement that you were first introduced to Mrs. Corder?—Corder: It is perfectly true.

Did you receive any answers to it?—I received no less than forty-five answers, and some of them from ladies in their carriages.

Really! well, that surprises me.—It may well surprise you, as it did myself, but I missed of a good ——

Pray how was that?—I will tell you. In one of the answers which I received, it was requested that I should attend a particular church on an appointed day, dressed in a particular way, and I should there meet a lady

Digitized by Google

wearing a certain dress, and both understanding what we came about, no further introduction would be necessary.

But how could you know the particular lady, as there might be another lady dressed in the same way?—Oh, to guard against any mistake, the lady desired that I should wear a black handkerchief, and have my left arm in a sling; and in case I should not observe her, she would discover me and introduce herself.

And did you meet her?—I did not; I went to the church, but not in time, as the service was over when I got there.

Then as you did not meet her, how could you tell that she was a respectable woman?—Because the pew-opener told me that such a lady was inquiring for a gentleman of my description, and that she had come in an elegant carriage, and was a young woman of fortune. [Here the prisoner sighed heavily.]

Then you never saw her afterwards?—No, never; but I found out where she lived, and who she was; and would have had an interview with her, were it not that I was introduced to Mrs. Corder, and we never parted until we were married.

Pray, sir, was that long?—About a week.

We have reason to believe that this last assertion, like many of those made by the wretched man, was totally untrue; and that in reality he had been introduced to Mrs. Corder at a sea-port town, in the course of the summer before the marriage. They afterwards met at the shop of a pastry-cook in Fleet-street, and subsequently, singularly enough, the young lady having answered the advertisement, her next meeting with her future husband took place at the same shop. Mrs. Corder, whose maiden name was Moore, previously to her marriage kept a school in the neighbourhood of Gray's-inn-lane, and was very respectably connected.

ANN HARRIS, JOHN COX THE ELDER, JOHN COX THE YOUNGER, ROBERT COX, AND JAMES PUGH.

CONVICTED OF MURDER.

THE case of these diabolical criminals, as it was proved at the trial, which took place at Shrewsbury on the 2nd of August 1828, before Mr. Justice Gazelee, scarcely finds a parallel in the whole series which we present to our readers. It exhibits the dreadful features, of a mother and father-in-law combining to procure the commission of murder, to save their son from justice; and that son, the object of their solicitude, procuring the conviction of those by whose means he had been before saved from an ignominious end, for the offence to which they had made themselves parties on his behalf, to relieve himself from the due reward of further crime committed by himself.

It appeared that, in the neighbourhood of Market Drayton, on the borders of Shropshire and Staffordshire, there existed a dreadfully depraved set of people; and that a gang, to the amount, it was said, of from forty to sixty, was confederated for general purposes of plunder. The nucleus of this gang consisted of several persons, closely knit by ties of relationship, of connexion, and of neighbourhood. as well as of guilt; while the general

Digitized by Google

depravity of the district enabled them, as occasion required, to add to their numbers, to almost any extent. One of these persons, by name Thomas Ellson, was in 1827 taken up for stealing potatoes; and, whilst in jail upon that charge, an accusation of sheep-stealing was brought against him. The chief evidence upon which this latter charge, a capital one, depended, was that of a man who had occasionally joined in the proceedings of the gang, named James Harrison. It became, therefore, the object of the friends of Ellson to get this man out of the way. First, they determined to poison him; and Ellson's father-in-law, John Cox, went to an apothecary's shop to buy arsenic for that purpose. The boy in the shop refused to sell it to him, unless some one else were by, which, as there was no one else in the house, could not then be the case; and Cox, probably not liking such formal proceedings, retired.

The next step was one of the most extraordinary in the whole case. Ann Harris, Ellson's mother, who had married a second husband of the name of Harris, went to a woman living in Drayton, whom she knew, and asked her if her husband were not going to Newcastle. The woman answered that he was. "I wish then," said Harris, "that he would buy me an ounce of arsenic." "What do you want it for?" "I want it to poison that damned scoundrel, James Harrison."—The woman upon this remonstrated—assured her it was a very wicked thing to poison James Harrison,—and, after some conversation, old Ann Harris went away, promising that she would not carry out her expressed intention.

Poison having failed, it was determined to have recourse to more direct means; and Ann Harris and old Cox subscribed fifty shillings a-piece, to *hire* Cox's two sons, and a young fellow of the name of Pugh, to put Harrison to death! Harrison lodged in the house of Pugh's father, and, it was said, occupied the same bed with Pugh himself. On the night of the murder, Pugh, to use his own expression, "ticed" Harrison out of the house, to go and steal some bacon. At a spot previously agreed upon, they met the two younger Coxes; and proceeding to a remote place, Pugh seized Harrison by the throat, while John Cox, the younger, took hold of his legs, and throwing him down, they strangled him. Meanwhile, Robert Cox was digging the grave!

The wretched man thus disposed of, everything remained perfectly quiet and unsuspected. It was generally supposed that he had gone out of the way to avoid giving evidence on Ellson's trial; though it seems very extraordinary that, after the latter had been acquitted, the non-return of Harrison excited no suspicion. No supposition of his death, however, appeared to have arisen, and the murder was discovered only by the means of Ellson himself. As soon as this fellow came out of jail, the Coxes, Pugh, and his mother, at various times, sometimes when several of them were together, and sometimes separately, told him all that had taken place, vaunting to him how they had saved him. The very night of his release, old Cox, one of his sons, and Pugh, bragged to him, that "if it had not been for them, he would not be there,"—and the next day, when he was at his mother's, Robert Cox came thither, and said to her with oaths and abuse, "If thee doesn't give me more money, I will fetch him, and rear him up against thy door!"—alluding to the murdered man!

Nothing, however, transpired till towards the end of June 1828, when Ellson was taken up for stealing fowls, and then, in order to save himself

Digitized by Google

from the punishment attending this offence (at the most seven years' transportation), he told all that the guilty persons had told him; and on his evidence they were apprehended.

Such are the facts of this revolting case; but we must describe some of the peculiarities of the trial itself.

The five prisoners were placed at the bar: old Ann Harris stood first; —she seemed what would ordinarily be called a smart old woman—her features were small and regularly formed, and her countenance was remarkable only for a pair of exceedingly keen and sparkling black eyes, the expression of which, however, was certainly in no degree indicative of ferocity. Old Cox stood next to her, and his countenance presented a most unpleasing, almost revolting, aspect. It was easy to believe the current story that he was at the head of the gang at Drayton—the very patriarch of all the thieves and scoundrels in that part of the country. He had, undoubtedly, brought his sons up to robbery as to a trade, and he had now hired them to commit murder! The two sons were next to him, and were not remarkable in their aspect. Pugh was last—and he was an ill-looking fellow enough, though not strikingly so.

As the trial proceeded, one of its peculiarities soon became apparent. This was that a vast proportion of the witnesses were of the closest kindred to the accused. And what was more horrid, was the fact of the father of the murdered man being called to speak to the identity of the body, which, having lain in the earth nearly a year, was so totally decomposed as to be recognizable only by the clothes; but to this the father added that "the colour of the hair was that of his son!"

It shocked all present greatly, when the father and mother of Pugh were called to speak to some minute facts with regard to the night on which Harrison was murdered, with reference to his leaving their house, where he lodged. The chief evidence was what the prisoners themselves had told to Ellson; but he being a person of execrable character, it was necessary to support his testimony by every corroborative circumstance that could be proved. Accordingly, in the early part of the trial, these wretched old people were brought forward to give testimony to facts bearing against their son's life: they were but very slight, but, as far as they went, they were confirmatory of the main story; and it is difficult to say whether the extreme coolness and composure with which the parents gave their evidence were not still more dreadful than if they had been violently affected.

Besides Ellson himself, there were also his wife, who was the daughter of one and the sister of two of the prisoners, and his sister, who was the daughter of another, called as witnesses! These young women also gave their evidence without strong emotion, although they certainly seemed far more impressed with the position in which they stood than the other witnesses named.

Ellson was calm, decided, and firm, to a degree which gave rise to unmingled disgust in every one who heard him. It will be recollected that the crime had been committed to save him—Pugh certainly committed the murder *for hire;* and the Coxes, perhaps, might have had some interests of their own mixed up with his;—but, even as regarded these last, the first object had been his escape; and his mother undoubtedly had dyed her hands in blood, solely to save her child.

The witness was a fine, well-looking fellow of about five-and-twenty—

Digitized by Google

and, undoubtedly, until the severe cross-examination he underwent caused a struggle—though a perfectly successful one—to keep down his temper, his countenance was rather agreeable than otherwise. His story was clear, consecutive, and, no doubt, true. Each individual concerned in the transaction had, immediately on his release from jail, very naturally told to him, for whose sake it had been committed, all the circumstances regarding the murder. Pugh appears to have been the most detailed in his account, and to have rather bragged that it was he who "'ticed un out o' feyther's house, to steal some bacon,"—and that it was he who had "gripped un by the throat." In some instances, the Coxes were present during these recitals, and at others they spoke of the subject to Ellson themselves. While this part of the evidence was going forward, the strongest horror was excited against the perpetrators of the crime—so treacherous as it was in its concoction, and so coldly cruel in the manner in which it was carried into effect. Moreover, the idea that Pugh certainly altogether, and the two young Coxes in great part, had committed this murder *for hire*, was a circumstance of a character so new, and so awfully depraved, that the story carried the auditory along with it, and they forgot altogether the scoundrel who was telling it. But when he came to speak of his own mother, what must have been their sensations! Her guilt, dreadful as it was, almost disappeared; the thought could be only of the unnatural and ungrateful villain, who, to save himself from a light and temporary punishment, was thus giving to the gallows the mother who had born him, for a crime caused by her extravagant affection for him. He repeated twice or three times, in answer to the questions of the examining counsel, who felt it necessary to make the matter quite clear, that his mother had told him that she and old Cox had given fifty shillings a piece to have Harrison murdered. He said this as calmly as any other person would narrate any indifferent fact—and his mother's eyes were on his face all the time!

Mr. Charles Phillips cross-examined the witness at great length, very severely, and very skilfully: he drew from him that he had been in jail repeatedly, almost constantly, for theft of all kinds and descriptions; and he drove him into attempts to shuffle, very nearly approaching to prevarication, on several minor points, not connected with the case. But, regarding the case itself, he was not shaken at all; and although the universal sensation in the court must have been that of loathing and disgust for the mercenary cold-bloodedness of the proceedings to which he had had recourse, no serious doubt could for one moment be entertained that he was telling the truth.

The jury under these circumstances were compelled to return a verdict, consigning the wretched prisoners to a violent death.

The extreme sentence of the law was immediately passed upon the convicts, and their execution was appointed to take place on the following Monday, the 4th of the same month.

On the next day, a reprieve was granted in the case of Robert Cox, one of the sons, upon grounds which do not appear to have been well understood at the time, and he was transported for life. A respite for a week was also granted in the case of the elder Cox, and Ann Harris, who had been convicted only as accessories before the fact; but the awful punishment of death was left to be carried out in its due course upon Pugh, and John Cox the younger. The former, after his trial, declared his sense

Digitized by Google

of the justice of his sentence, and that he regarded the termination of his career as a happy one, for that he constantly saw Harrison by his side; while the latter, with cold-blooded firmness, urged him to keep up his spirits, for that "he could die but once."

The execution had been appointed to take place at mid-day; and at a few minutes before twelve o'clock all the convicts, together with Ellson, were drawn up in the inner yard of the jail. Pugh and Cox were then pinioned; and while Ann Harris, old Cox, and his son Robert, were re-conducted to the jail, Ellson was carried to a spot from which he must witness the conclusion of this dreadful scene. The authority by which this course was adopted, may well be doubted, for the miserable wretch was undoubtedly entitled to his discharge, as the indictment against him had been withdrawn; but it is probable that it was thought that the example afforded by such a proceeding might tend in some degree to check the thirst for crime, which appeared to exist in that district of the county.

The miserable convicts were directly afterwards led to the scaffold, dreadfully agitated, and uttering ejaculations imploring mercy for their sins; and all being in readiness, the drop fell, and they were launched into eternity.

The sentence of the wretched mother of Ellson, and of old Cox, was subsequently changed for that of transportation; and with this bare recitation of its facts, we shall close the scene upon this frightful case.

JOSEPH HUNTON.

EXECUTED FOR FORGERY.

The case of this criminal excited considerable attention from the circumstance of the offender having been long known in the city of London, as being a person of good repute, and also from the fact of his being a quaker.

It would appear that a considerable number of forged bills of exchange having been put in circulation, the result of the inquiries, which were made by the Committee of Bankers for the Prevention of Frauds and Forgeries, was clearly to fix the offence upon Hunton. The bills were for the most part accepted in the name of Mr. Edward Wilkins of Abingdon, and purported to be drawn by the firm of Dickson and Co. of Ironmonger-lane, warehousemen, in which Hunton was a partner. It so happened, however, that intelligence was received in town, before several of them became due, that Mr. Wilkins was dead; and upon inquiry, it turned out that the whole of the acceptances in the name of that person were forgeries. Hunton received speedy information of the discovery of the frauds of which he had been guilty; and upon inquiry being made for him, he was found to have absconded. Officers were immediately despatched in all directions to secure his person, and he was at length traced by Forrester, the city constable, to the neighbourhood of Plymouth. He directly started in pursuit, with some others who were employed on the same errand; and upon inquiry there, they learned that the object of their search was upon the point of sailing for New York in the Leeds packet, on board which he passed under the assumed name of Wilkinson. The officers immediately

Digitized by Google

proceeded on board that vessel, and under pretence of having a letter to deliver, they were introduced to the forger. Upon their informing him of the nature of their mission, he was not able to utter a word, but rose and followed them, and was immediately conveyed to the shore. It is rather extraordinary that the first paper taken from his pocket was a letter directed to the editor of "The Times," stating that the amount of the forgeries ascribed to him in a paragraph in that journal was considerably exaggerated, and requesting that an acknowledgement to that effect should be inserted, in justice to the party accused, who would return as soon as possible, and pay off all his pecuniary obligations. There was also found in his pockets the copy of a letter directed to the house of Curtis and Co., informing them, that as it was not convenient for the firm to discount any more bills for him, he should absent himself for a short time from London. These were both directed from Deal, and were, no doubt, intended to mislead, as the writer never went near Deal in his route. He had entered the packet in his quaker dress; but in the course of a few hours he put on a light-green frock, a pair of light-grey pantaloons, a black stock, and a foraging-cap. It was ascertained that he had previously entered a French steam-boat on the river, with the intention of proceeding to Boulogne, and that he had been actually in that boat at the time of its being searched by some officers, who were endeavouring to procure his apprehension.

Upon his arrival in town, he underwent an examination before the lord mayor, upon the charges which were preferred against him; and several cases having been substantiated, he was fully committed for trial.

At the Old Bailey sessions, on the 28th of October 1828, the prisoner was put upon his trial, and he was found guilty upon a charge of forging a bill for 162*l.* 9*s.* with intent to defraud Sir William Curtis and Co. On the following Tuesday, the 4th of November, he was again indicted for a similar offence, in forging a bill for 94*l.* 13*s.* when a similar verdict was returned; and at the conclusion of the sessions, notwithstanding the recommendation of the jury to mercy, he received sentence of death.

A considerable time elapsed before the case of this unfortunate prisoner was reported to the Crown, in accordance with the custom which then prevailed; and it was not until the 8th of December that his sentence was carried into effect; but before we describe the circumstances attending the execution, we cannot help alluding to a most extraordinary delay which took place in the report of the recorder of London of the cases of no less than forty-nine prisoners confined in Newgate on various capital charges. It would appear that his majesty being at Windsor, the recorder proceeded to the Castle on Monday the 24th of November, for the purpose of making his report, when three wretched prisoners were ordered for execution. In accordance with the usual practice, it would have been the duty of the recorder to proceed forthwith to London to communicate the result of the deliberation of the privy council at Newgate, in order that the unhappy criminals, whose cases had been under consideration, might be at once relieved from the dreadful suspense in which, situated as they were, they would necessarily be placed. Monday night passed, however, and no intelligence was received of the learned gentleman, or of the decision which had been arrived at; and the greater part of Tuesday was permitted also to elapse before their dreadful anxiety was relieved. At five o'clock on that afternoon, the clerk of the learned gentleman reached Newgate with the

Digitized by Google

death-warrant; and then only was it that the fate of the prisoners could be disclosed to them. The subject was brought under the consideration of the court of aldermen at the earliest possible period, with a view to the recorder giving some explanation of the very singular conduct of which he had been guilty; and he then stated, that the council not having terminated until past eight o'clock on the evening of Monday, he was at that time too fatigued to return to town on the same night; and that on his starting from Windsor on the following morning, he was so long delayed on the road, that he did not arrive in town until half-past three o'clock. This excuse, however plausibly it may have been put by the learned gentleman, was at least a lame one; and the remarks which were made upon his conduct at the time by the public, and by the press, were confined to no very measured terms.

Although so many prisoners had been reported on this occasion, it was found that Hunton was not among the number, a circumstance which gave him undue hopes and expectations, that he would be spared an ignominious death. A second report, however, was made on Monday the 1st of December, when the wretched criminal, with three others, was ordered for execution on the 8th of the same month.

Hunton bore the intelligence, "that he was certainly to die," with apparent fortitude. He was lying on his pallet when the Ordinary entered his cell at a little after eleven on Monday night. Upon hearing the cell-door open at so extraordinary an hour, he turned round slowly, and said, "Well, I suppose I know the news thou bringest?" "Yes," replied the Ordinary, "Mr. Hunton; you are, I hope, prepared for that which you have expected—you are to be executed." Hunton said, "Indeed, I have been expecting that intelligence; it is no surprise, and yet my case has many palliatives which should operate with grace at the seat of mercy. Pray, tell me who are doomed to die with me?" The Ordinary mentioned the other names enumerated in the report, and Hunton observed, that he should submit with calmness to his fate. "But," said he, "wilt thou do me the great favour, friend Cotton, to permit my wife to come and stay with me alone before the time arriveth for the change?" The Ordinary replied, that he had not the power to grant any favour, but the request should be communicated to the proper authority, and no doubt every indulgence of a reasonable kind would be granted. During this conversation, Hunton seemed to be perfectly resigned to his fate. It is singular that he never asked on what day he was to be executed. After the Ordinary assured him that he should be treated with kindness, he turned about, and said, "Good night, friend," and appeared to resign himself to sleep. In the morning he rose, evidently in a state of the most wretched dejection: his eyes were filled with tears, and he deplored the inhumanity of the laws, by which a man who had committed an act not deserving the name of fraud was to suffer death. The spirits by which he had been supported ever since his committal to Newgate altogether abandoned him: he wrung his hands in agony, and complained of the bitter aggravation of delay. When he first entered Newgate, he said, "I wish, after this day, to have communication with nobody; let me take leave of my wife and family and friends; I have already suffered an execution; my heart has undergone that horrible penalty." A few days afterwards a person called upon him to request that he would explain some document relating to certain bills

Digitized by Google

not yet due. In one instant he gave the required explanation, fully to the satisfaction of the person interested; and was asked by the same individual what opinion he entertained of his own case? "Why," said he, "my case resembles the condition of this paper (holding the letter upon his finger)—a breeze of wind will turn it either way. Caprice may save or destroy me; but I rather think I shall live longer." He was on the Tuesday visited by his wife and several of the society of Friends, and he told them he knew that to hope would be to court deception. He was, during the whole day, the most painful object to those who went to console him: he groaned as if his heart were bursting within him, and seemed to consider this life all that a human being could wish for.

The execution of a man who was known to have moved in so respectable a sphere of life as the unfortunate Hunton, failed not to attract an immense crowd of persons to the vicinity of the jail of Newgate on the morning upon which it was determined that his life should be forfeited. From the extraordinary efforts which had been made to save this unfortunate culprit, a very general belief was entertained that a respite would most certainly arrive for him even so late as on the morning fixed for his death. His safety was considered almost certain, and many were scarcely persuaded that he would really suffer, even at the moment when the fatal cord encompassed his neck. The unfortunate man had, however, calmly composed his mind to meet his fate, and seemed to contemplate its approach without dread. He was on Sunday visited by several ladies and gentlemen of the society of Friends, who were accommodated with an apartment, in which they remained in their peculiar devotions for several hours. Afterwards the unhappy man was attended by two gentlemen, elders of the congregation, who sat up with him in the press-room all night, during which time Hunton composed a very long prayer, appropriate to his situation and approaching death. He committed his thoughts to paper, and after he had completed the prayer, he copied it, and directed it to "his dearly-beloved wife." At about half-past seven the two elders left the miserable man, after they had "kissed," and their absence was supplied by the attendance of Mr. Sparks Moline, of Leadenhall-street.

At fifteen minutes before the awful hour of eight, the under-sheriffs arrived at the prison, preceded by their tipstaffs, and were conducted by Mr. Wontner to the press-room. At the end of this gloomy apartment was observed, sitting at a long table which was strewed with pieces of paper and books, the ill-fated Hunton; immediately opposite sat his "friend," Mr. S. Moline. Hunton, turning his head, and observing the group of officers as they entered the room said, "I pray thee stop a minute; I'll not be long." He then concluded reading, in a distinct voice, the prayer he had composed in the night; it was couched in the most impressive and devout language that can be imagined. In it he expressed his dependence on the merits of Jesus Christ, and a hope, that when the spirit was separated from the body, it would join the angelic host above, in singing praises to the Son of God, and to the Almighty. Hunton had a very peculiar kind of voice, somewhat shrill and effeminate; he, however, spoke with firmness. There was nothing in his manner to condemn, but it showed a perfect self-possession. Mr. Moline, when the unhappy man had done reading, bowed his head, and responded, "Amen!" Hunton then arose, and folding up the paper in a hurried manner said, "I am quite ready now."

Digitized by Google

Mr. Wontner approached him, and said he might remain seated for a short time longer; when he thanked the worthy governor, and resumed his seat at the table, and occupied his time by perusing some religious work before him. During this time John James, aged nineteen, who was condemned for a burglary in the house of Mr. Witham, the barrister, in Boswell-court, and two others were brought into the room attended by the Reverend Ordinary.

The wretched Hunton, during the pinioning of his fellow-convicts, conducted himself with the greatest calmness and devotion. He repeatedly addressed those who were to suffer with him, urging them to repentance.

All having, at last, been properly secured, it only remained for the unfortunate Hunton to undergo the same ordeal as his fellow-sufferers. The unhappy man was indulging in a sort of reverie, when Mr. Wontner tapped him upon the shoulder. He instantly stood up, and deliberately took a white stock from his neck, and approached the officers; he stood firmly, and when the man was in the act of tying his wrists he said, "Oh, dear, is there any necessity to tie the cord so fast?" The officer made no reply; upon which Hunton said, "Well, well, thou knowest best." He again complained of the cord being too tight about his arms, which was slackened a little, and the unhappy man said, "Thank thee, thank thee." After he had been thus secured, he said, "Wilt thou allow me to wear my gloves? "Yes, certainly, sir," was the reply, and with some difficulty he put them on, and still kept the prayer addressed to his wife in his hand. All being now in readiness, the mournful procession moved towards the scaffold.

Before Hunton left the room, he said to Mr. Moline, "Thou will not leave me, friend?" "No," said Mr. Moline, "I will see thee to the scaffold." Mr. Moline then supported the unhappy man along the passage to the lobby at the foot of the scaffold, where he sat down by the side of his friend, still holding the prayer to his breast.

Hunton was the last who was summoned by the officers. Upon his name being pronounced, he turned round, and delivering the prayer to Mr. Moline, each shook the other's hand, and kissed lips, the unhappy man observing, "You may say I am quite happy and comfortable—fare thee well." He then quickly ascended the steps with the same unshaken firmness and deliberation which had marked his conduct throughout the trying period. He took his station under the fatal beam, and requested that a blue handkerchief, to which he seemed fondly attached, might be fastened over his eyes, which was accordingly done.

The preparations of the hangman for the deaths of these unhappy men being completed, the Reverend Mr. Cotton commenced reading a portion of the burial-service, and at a given signal the drop fell, and the four unfortunate beings were suspended. A loud shriek from some persons in the crowd followed the close of the melancholy scene.

The sufferings of the unhappy men were but brief. The rope by which Hunton suffered was longer than the rest, on account of his remarkably low stature; it soon reached its full tension, and he appeared to die instantly.

After the bodies had remained suspended for an hour, they were cut down and removed into the interior of the jail, preparatory to their interment.

Digitized by Google

The unfortunate Hunton, it appears, commenced business at Yarmouth, as a slop-seller; and having been exceedingly prosperous, he opened a concern of some magnitude at Bury St. Edmunds, Suffolk; and also engaged in business as a sugar-baker, in the metropolis. He had previously married a lady, a member of the society of Friends, to which sect it will be perceived that he also belonged, and was supposed to be possessed of property to the amount of 30,000*l*. Relinquishing these concerns he entered into partnership with Messrs. Dickson and Company, of Ironmonger-lane, who soon discovered that he was engaged to no small extent in speculations on the Stock Exchange, in which, as it turned out, he was particularly unsuccessful. A dissolution of partnership was the consequence, and then the unhappy man, driven to want and despair, committed those frauds which cost him his life. Up to the time of his absenting himself from London, he had a large establishment at Leytonstone, in Essex, where he was always looked upon as an eccentric, but highly honourable and respectable person. The appearance and demeanour of the unhappy man, at the time of his apprehension, were such as to excite the greatest commiseration among those who saw him. Although it would appear that the forgeries of which he had been guilty were of no trifling extent, at that period one hundred sovereigns only were found in his possession.

WILLIAM BURKE.

EXECUTED FOR MURDER.

THE unparalleled atrocities of which this diabolical murderer was guilty, with his associates, can scarcely ever be obliterated from the recollection of man. Devoid of all sense of humanity,—a butcher of the human race, he was guilty of almost innumerable murders, for which his only reward was to be the miserable amount to be paid him for the bodies of his victims, in order that they might be submitted to the knife of the anatomist.

The scene of these horrible occurrences was Edinburgh; but notwithstanding the publication of the details of the circumstances attending them which appeared at the investigations which took place before the sheriff, few could be found who had formed such an idea of the baseness of human nature, as to believe the possibility of the truth of the dreadful disclosures which were made. The traffic in human blood, with such an object as we have already pointed out, appeared too fearful a crime to be contemplated; and all suspended their judgment until the issue of the solemn inquiry of a jury should decide upon the allegations which were made. Upon that inquisition, however, the most dreadful apprehensions which were entertained as to the result were fully realised, and the reports which had been circulated with reference to the offences charged against the prisoners, were amply proved to be well founded.

The metropolis of Scotland had been long and frequently excited by statements being made of the disappearance of persons in the lower orders of life, who were suddenly missed, and of whom no subsequent traces could be discovered. Tramps entering the city with their friends were suddenly lost; Irish hay-makers, on their road to the agricultural districts of the Lowlands, in the same manner seemed to vanish from among their

Digitized by Google

companions; and in one instance an idiot, who in Scotland is always looked upon as a harmless playmate for the children, as a welcome guest at every table, and as an object of universal pity, was on a sudden lost from the favourite haunts of his imbecile wanderings. Suspicions of a dreadful character entered the minds of persons, whose duty it was to superintend the police of the town,—suspicions of murder, which might well be supposed to have been excited by the influence of the Almighty, and through which the guilty were eventually discovered and brought to punishment.

The occurrence which immediately led to the disclosure of these diabolical crimes was the unaccountable disappearance of a mendicant named Mary Campbell, an Irishwoman, who, after having been seen frequenting the same vicinity for a considerable time, towards the end of October 1829, was suddenly missed. The poor woman happened to have friends, who were not disposed to treat her loss lightly, and a rigid inquiry by the police was the result. An idea was suggested that her body might be found at some of the medical schools in Edinburgh, so justly celebrated for the excellence of the anatomical instruction which they afforded to the pupils; and one day's search testified the truth of the fears which had been excited of her death. Her remains were discovered at the dissecting-room of Dr. Knox, a distinguished anatomist, bearing marks perfectly conclusive of their identity. The poor woman had received a wound upon her ancle, from the kick of a drunken man, the aspect of which was sufficiently well known to enable her former companions to speak with certainty as to the body. The cause of death was now the subject of investigation; and here the deficiency of caution in the purchase of subjects, the necessity of a change in the law with regard to the provision of bodies for dissection, and finally, the certainty of the murder of the deceased, were exemplified. The medical men, by whom the body was examined, gave their firm and decided opinion that suffocation had been the means by which the deceased had been deprived of life,—a means which it was exceedingly unlikely any natural circumstances would have produced. It was evident, therefore, that murder had been resorted to,—it was believed, with a view to secure the body of the wretched woman, in order that it might be sold for dissection.

The next inquiry which followed, was that as to the individual from whom the subject had been purchased. The law at that time contained no enactment with regard to the mode by which surgeons were to be provided with those subjects which the study of anatomy, so important to the human race, positively required that they should possess. The occasional execution of a criminal, whose remains were ordered by the terms of his sentence to be given over to the surgeons for dissection, afforded no sufficient supply to meet the constant demand which existed; and the stealing of dead bodies was a practice openly encouraged by the professors of anatomy, although it excited universal disgust and hatred amongst those whose immediate interests forbade their looking upon the custom with any feelings but those of horror.

So long as the war continued, the period of time required for the completion of the education of medical students, so as to fit them in some measure for the army or navy, was very short, and the study of anatomy was consequently so much neglected, that it frequently happened that a student filled the office of assistant-surgeon in those services who had

Digitized by Google

never dissected an entire body. At that time the dissecting-rooms were supplied by men who in general exhumated the bodies; and, as the suspicion of the public was not excited, it was attended with no great difficulty. The highest price then ever obtained by these men was four guineas for each subject; but as the number of medical men increased, and many gentlemen, who had been engaged in the army and navy during the war, returned to complete their education, the demand became greater, and consequently the risk of procuring subjects by the usual means was proportionately augmented. The men were frequently detected in their attempts, and punished severely; they therefore demanded an advance in their remuneration; and in consequence of no legal provision being made for supplying the schools, it was found necessary to accede to the demands. The price then became eight guineas; and it subsequently varied from that to sixteen guineas, acording to circumstances.

On account of the greatly increased amount obtained for subjects, numbers of persons now engaged in the traffic, and the consequence was more frequent detection. Every means which ingenuity could suggest was put in practice to obtain bodies which had not been buried; and for this purpose, the men, when they heard of the body of a person being found (drowned for instance), and which was lying to be owned, trumped up a story of an unfortunate brother or sister, hambugged a coroner's jury (who, by the by, were more than once so well imposed on as to make a subscription, to enable the supposed brother to bury his relative), and thus obtained possession of the body. In this sort of trickery the wives of the men were often employed, as their application was attended with less suspicion, and it was never difficult to impose on the parochial officers, who were always anxious to avoid the expense of burying the deceased. Subjects were thus ocasionally procured, but they were much more frequently obtained by pretending relationship to persons dying without friends in hospitals and workhouses. As, of course, the bodies thus obtained were much fresher than those which had been buried, they produced generally (independent of the teeth,) as much as twelve guineas each.

But the poor and friendless were not the only sufferers from this system; persons moving in a higher sphere of society have often suffered the loss of their friends, when they were confident in security. What will the wealthy not feel, when they are told that the very men employed to solder down the leaden coffin of a child have abstracted the body, and carried it off, without exciting the slightest suspicion, in the baskets with their tools?

Yet, notwithstanding all these means of procuring subjects, the difficulties were occasionally so great, that students from the country have been obliged to wait for months without being able to study anatomy practically; at the same time having to live at an expense they could ill afford, in London. In Scotland, at one time, to the great honour of the labouring classes, no such persons as resurrection-men could be procured for any remuneration, and it was then necessary for the students to exhumate bodies for themselves. Indeed, for a long time, this, in many parts of that country, was the constant practice; but, from the great horror with which the Scotch in particular regard the violation of the tomb, these attempts were always attended with considerable danger; and very frequently the graves were guarded with so much diligence, that the carry-

Digitized by Google

ing off a body was totally impracticable. Instances indeed occurred, where the parties engaged in such an enterprise were fired upon by persons employed to watch, whom they had not observed; and, in one case with which the writer is acquainted, the life of one of the parties was sacrificed.

The surgeons from their anxiety to obtain subjects, and from the acknowledged illegality of the proceedings, were frequently not overnice or minute in their inquiries as to the cause of death, or the means by which the body offered to them was obtained. The impossibility of obtaining any answer the truth of which could be relied on, and the independence of the "resurrection-men," who were always sure of a market, may be reckoned as almost sufficient excuses for this lax mode of proceeding; and it is just to believe, that no suspicion can ever have entered the imagination of the anatomists, that unfair means had been resorted to, to take away the life of the subjects offered to them, merely with a view to their bodies being submitted to their dissection. To such causes may be ascribed the non-discovery of the suspicious cause of death of the numerous miserable victims whom investigation proves to have been murdered.

In this case, happily, the frequency of the visits of the supposed *resurrectionist* or body-stealer to the same museum enabled the police to discover his haunts, together with the circumstances attending the disappearance of the deceased, which were sufficient to afford convincing proof of her murder at his hands. Paterson, the porter to Dr. Knox's museum, was well acquainted with the persons of Burke and a man named Hare, by whom this subject had been sold, and he related the circumstances attending its purchase to the police serjeant, by whom the investigation was carried on, in such a manner, as at once secured their apprehension. He said that on the 31st of October, Burke and Hare called at the dissecting-rooms, and said that they had got something for the doctor, at the house occupied by the former. Paterson had before visited this place on similar occasions, and was well acquainted with its position, and on the next morning he went to the house in Tanner's-close, where he was told the body lay. He found there Mrs. M'Dougal, who passed as the wife of Burke, and Mrs. Margaret Laird, who stood in the same relation with regard to Hare. Upon his entrance, Burke pointed to a heap of straw under the table, signifying that the body was there; and the witness gave them 5*l.* to be divided between the two men, 3*l.* more being agreed to be paid, if the subject should turn out to be such as was desired. The men divided the money, and promised to carry home the body on the same night to the museum. It arrived, packed in a tea-chest, and at the time of the visit of the police, which was on the following day, (the 2nd of November,) it had not yet been looked at. Upon the chest being opened, appearances presented themselves which induced Paterson to believe that the body had never been buried; the face was livid, and blood was running from the nostrils and mouth; and, as we have already said, subsequent examination proved that death had been caused by suffocation.

Coincident with the discovery of this evidence, the voluntary testimony of two other witnesses was obtained, which afforded conclusive proof of the violent means resorted to by Burke and Hare, to procure the death of the deceased. Mr. and Mrs. Gray, poor persons, who were travelling

Digitized by Google

through Edinburgh, informed the police, on the same day, of occurrences which they had witnessed on the night of the 31st October, which induced the most dreadful suspicions in their minds. They stated that they had taken up their lodgings in the house occupied by Burke in the course of that day, and towards the evening they had seen Mrs. Campbell go in with that person. They, however, retired to rest without holding any communication with her, as she appeared to be intoxicated; but in the morning, they were surprised to find that she was gone. They inquired of Mrs. Burke what had become of her, and she said that they had turned her out because she was impudent; but an undefinable apprehension lurked in their minds of some wrong having been done, and seizing an opportunity they peered into Burke's room, and there, under the table, they saw marks of blood, and upon further investigation, the body of the murdered woman concealed beneath some straw. Terror-struck with the discovery, they immediately gathered up their bundles and proceeded to quit the house, but were dissuaded from their intention by Mrs. Burke, who had ascertained the fact of their having made so important a discovery, who urged them to stop, "as it might be 10*l.* a week to them." They, however, rushed from the place as soon as they could escape, and on the following day conveyed intelligence to the police of what they had seen.

Upon the arrival of the authorities at the Tanner's-close, they found it to be a scene well fitted for the performance of such tragedies as had been recently enacted within its limits. The close itself was narrow and dark, and contained only one house, which was situated at the bottom. Here, almost shut out from the light of heaven, lived this detestable murderer, letting out lodgings either by the night or otherwise, to such poor wretches as would put up with the accommodation which he could offer. The house consisted of two rooms only, one of which was occupied by Burke and his wife, while the other was devoted to his lodgers. The former contained nothing but a miserable bed, a table, and some straw, still reeking with the blood of the murdered woman, while the latter was totally devoid of furniture. Fortunately for their purpose, the whole party, four in number, was assembled; and they were all immediately secured and conveyed to prison. Burke, it appeared, had carried on a pretended trade of shoemaking, and in one corner of his room was found a pile of old boots and shoes, consisting of nearly forty pairs; but the discovery also of a great number of suits of clothes, of various sizes, and bearing distinct marks of blood, afforded sufficient proof, that the murder of Mrs. Campbell was not the only one which had been perpetrated within the apartment.

It would be a vain effort to attempt to convey even a faint idea of the universal horror excited by these dreadful discoveries, and the fearful execration heaped upon the heads of the diabolical assassins. Even the surgeons, who were looked upon as the supporters and the indirect instigators of the murders, shared with the prisoners the effects of the strong public sensation which existed; and in several places throughout the empire—for, the system being the same everywhere, the indignation of the people was not confined to Edinburgh—attempts were made to destroy the dissecting-schools. In this, however, and in the obloquy cast upon the gentlemen of this profession, it must be said that they suffered unjustly. They were the victims, as well as the public, under a defective system of legislation; and the insufficiency of the law was to be blamed, and not

Digitized by Google

those whose absolute necessity compelled them to adopt measures, of themselves illegal, but excusable, considering the advantages to be derived from them to society, and the utter neglect of the efforts which they had made, to secure such provisions by the legislature as should enable them to proceed in a manner becoming the high and honourable station which they filled.

The examinations of the prisoners before the magistrates of Edinburgh served only to bring to light fresh atrocities and to excite fresh horror; and eventually the whole of the prisoners were committed for trial, the evidence being clear and conclusive as to the implication of the men, although that which affected the women left great doubts as to the possibility of their conviction being secured.

During the period which elapsed subsequently to their committal, and preparatory to their trial, Hare, with a degree of villany excelling that of his fellow in guilt, offered to make disclosures upon the subject of the system which had been carried on, upon condition of his own indemnification from punishment, and that of his wife. Mrs. Laird, it had been discovered, was the least guilty of the whole party, and so far as her discharge was concerned but little difficulty was experienced; but upon the question of the other terms desired by Hare to be imposed in reference to his own case, considerable doubt was entertained. Long and frequent consultations were held by the magistrates upon the subject, in which the probabilities of the conviction of these associates in villany were most anxiously weighed; and it was at length determined that, for the sake of that justice which imperatively demanded the most satisfactory and complete evidence of the guilt of one at least of the gang, the offer should be accepted. The prisoner then made a statement to the officers of the jail, which was reduced to writing, but which, from causes too obvious to need repetition here, was not published in full. That portion of it which immediately affected the case of Burke and Mrs. M'Dougal came out upon the trial; but many particulars with regard to the system which had been carried on were most properly concealed from the public knowledge.

On the 23rd December in the same year, the two prisoners, William Burke and Helen M'Dougal, were put upon their trial before the High Court of Justiciary at Edinburgh. The indictment charged against them several murders, founded upon the communications made by Hare; but after much discussion on the part of the counsel for the crown, and on behalf of the prisoners, it was determined that that part only of the indictment which alleged them to have murdered Mary Campbell should be proceeded with, inasmuch as that the disclosure of any of the particulars of one murder in the course of a trial for another would materially prejudice the minds of the jury against the persons charged. The murder of Mrs. Campbell was alleged to have been committed by suffocation.

The preliminary witnesses produced a plan of the house of the prisoners in Tanner's-close, and proved the identity of the remains found at the house of Dr. Knox.

William Noble, the shopman to Mr. Rayner, a grocer at Portsburgh, near Tanner's-close, was then examined, and he proved, that on the night of the 31st October Burke, who had been in the habit of dealing at his employer's house, called there in order to purchase some trifling articles of grocery. While he was standing at the counter, Mrs. Campbell entered

Digitized by Google

the shop, and begged for charity. She said that she had come to Edinburgh to search for her son, a boy of eleven years old, but that she had been unable to find him, and that she was now quite destitute. Burke inquired her name, and on her mentioning the name of Campbell he at once claimed acquaintance and relationship with her, and finally took her away with him, saying that he would provide her with lodging for the night. The woman at this time was sober. The witness added that on the following day, Burke called again and purchased an old tea-chest, and Mrs. Hare, whom he knew, as well as her husband and Mrs. M'Dougal, carried it away about half-an-hour afterwards.

Mrs. Ann Black and Hugh Alison gave evidence tracing Mrs. Campbell to Burke's house, and as to the occurrences of the dreadful night of her death. The former said that she was a lodger of Burke's; and upon going home on the night of the 31st of October, she saw Mrs. Campbell sitting in Burke's room by the fire. She was ill-clad, and was eating porridge; and in answer to a question which the witness put, Mrs. M'Dougal said that she was a Highland woman, a friend of her husband's, and that she had been assisting them in washing. The witness then quitted the room; but subsequently, in passing through it after dark, she saw that Mrs. Campbell was much intoxicated. Hare and his wife were then there, and had brought in some spirits with them, and they were all merry, and laughing and singing together. The witness afterwards heard dancing, and on looking into the room, she saw that it was Mrs. M'Dougal, Hare, and Mrs. Campbell. Between ten and eleven o'clock she heard a disturbance, as if Burke and Hare were fighting, and a woman screaming, but she took no notice of it, as such occurrences were frequent with her landlord's friends. In the morning she inquired of Mrs. M'Dougal where Mrs. Campbell was, and she told her, that she and her husband (Burke) had got too friendly, and that she had kicked her out of the house. Alison, the witness, corroborated the evidence of Mrs. Black, as to the disturbance which occurred in the house of Burke at about the hour mentioned, and which he had heard in his residence at one of the upper flats of a house nearly adjoining, but he had distinguished screams of agony, and cries for help, succeeded by a noise as if some person had been strangling or suffocating. He afterwards heard the voices of two men in conversation in the close, whom he had taken to be Burke and Hare.

Mr. and Mrs. Gray, whose names we have already mentioned, were also examined upon the same point, and having proved the presence of Mrs. Campbell in Burke's house at the time of their arrival, they stated that Mrs. M'Dougal had told them in the morning, that she had turned out the deceased because she was impudent. They, however, watched their opportunity, and slipping into the room unseen, discovered her body concealed among the straw under the table.

Other confirmatory evidence was also given upon the same subject; and David Paterson, the porter at Dr. Knox's, having detailed his account of the transaction of the purchase of the body in the manner in which we have already described it, and of its arrival in a tea-chest; and other witnesses having proved that they saw the prisoner (Burke) and Hare carrying a tea-chest in the direction of Dr. Knox's, but in such a line of street as clearly showed their object to be to escape observation, William Hare, the approver, was called.

Digitized by Google

Lord Meadowbank, a learned and very distinguished judge, presided upon this occasion, and with the most humane feelings, he earnestly cautioned this witness to give his evidence with truth. The fellow, whose appearance in the witness-box excited great interest and indignation, sullenly answered, that he intended to do so, but that he only came there as a witness in the case of the "old woman," as he emphatically described the deceased Mrs. Campbell, as distinguished, doubtless, from other miserable victims; and his examination then proceeded. We shall give his evidence as nearly as we can in the terms in which it was delivered by him in the witness-box. Having been sworn in the common form, he said he was a native of Ireland, and had resided in Scotland ten years. He had been acquainted with Burke about twelve months. M'Dougal lived with Burke as his wife; witness lived in the West Port, not far from Burke; he was in a public-house in the West Port on the forenoon of the 31st of October, when Burke came in, and they had a gill; he asked witness to go down to his house, to see the shot he had got to take to the doctor's; he said he had taken an old woman off the street, and wished witness to go down and see her, and see what they were doing. He understood by the word "shot," that he was going to murder the woman. He went to Burke's house, and found there was a strange man and woman (their name was Gray), the old woman, and Helen M'Dougal; the old woman was washing her short-gown; it was white and red striped. [Identified the bedgown.] Witness remained in the house about five minutes, and then went home. Between eight and nine on the same night he was at the house of a man named Connaway with his wife; and Burke, Mrs. M'Dougal, the old woman Campbell, and a lad named Broggan, Mrs. M'Dougal's nephew, came in. Liquor was introduced, and after a while, Burke and Broggan went away. Witness remained some time longer, but then he also quitted the house, and went to Tanner's-close. There had been some dancing at Connaway's; and at this time he had no idea that any harm was to be done to the old woman on that night. Soon after he arrived at Tanner's-close, Burke, M'Dougal and Mrs. Campbell also came in, the latter being so much the worse for liquor as scarcely to be able to keep her feet. A quarrel arose between him and Burke (which was evidently got up for the purpose of murdering the old woman in the confusion which would be the result of it), upon the subject of his being in the house, Burke declaring that he had no business there, while he asserted that he had been invited by Mrs. M'Dougal. They began to fight, and Mrs. Campbell appeared alarmed, and called police and murder. She ran into the passage twice, but was brought back each time by Mrs. M'Dougal; and upon her re-entering the room the second time, witness intentionally pushed her over a stool upon the floor. She got up so as to rest upon her elbow, but was so drunk as not to be able to regain her feet; she called on Burke to quit fighting, and he did so; but then having stood for some minutes on the floor, Burke stood stride-legs over her, and laid himself down above her—his breast being on her head. She gave a cry, and then moaned a little; he put one hand on her nose and mouth, and the other under her chin, and stopped her breathing; this was continued for ten or fifteen minutes; he never spoke while this was going on; after he had risen from above her he put his arm upon her mouth for some minutes; she appeared quite dead; witness was sitting all the while on a

Digitized by Google

chair When he saw the woman was dead, he stripped the body of the clothes, put it into a corner, doubling it up, and covering it with straw; witness's wife and M'Dougal, when they heard the first screech of the old woman, ran into the passage, and did not come in again until the body was covered with straw; before this they were lying in the bed; and witness sat at the head of the bed; did not observe blood on the floor, or on the woman's face at the time; did not observe the woman in the passage cry—but nobody came to the door during the time. Burke had not been above the woman more than a minute or two, when the woman started out of bed and ran to the door; he saw none of them attempting to save or assist the old woman, and such could not have happened without his seeing it. When it was all over the woman came in again, and then Burke went out; the woman asked no questions, nor did they make any remark, but they went to bed again without a word being exchanged. When Burke returned, he brought with him the man from Dr. Knox's (Paterson), and he looked at the body; he said it would do well enough, and they were to get a box and put it in, in order to carry it to his master's house. At this time the women were in bed, but he could not tell whether they were awake or not, and he soon afterwards fell asleep himself. He was rather the worse of liquor, but he knew well enough what he was about. He awoke about seven o'clock in the morning; he found himself on a chair, with his head on the bed; the women were in the bed, and John Broggan was lying beyond his aunt; Burke was at the fireside. He and his wife got up and went home. In the course of the day, Burke called on him, and asked him to assist in procuring a box. They went first to Surgeons'-square, where Dr. Knox's school was situated, but failed in obtaining one there; and then Burke went and purchased a tea-chest at the grocer's. M'Culloch, a porter, took the box home, and witness arrived there with him before Burke came in. They were standing at the door when he came; and he asked whether they had put up the body. He answered that they had not; and Burke then remarked that they were worth little if they had not done that. They, however, directly went in; and witness and M'Culloch assisted in placing the body in the chest, the latter forcing it down in its place. M'Culloch also, on seeing some of the woman's hair hanging out, pushed it into the box, remarking that it would be "a fine thing to have that seen!" The chest was corded; and M'Culloch was instructed to carry it to Surgeons'-square, witness and Burke accompanying him. On their way they met Mrs. M'Dougal and his 'witness') wife, in the High School Yard, and they all went together. Having delivered the chest to Paterson, it was placed in a cellar, and the latter then went with them to Dr. Knox at Newington, where he and Burke were paid 2*l.* 7*s.* 6*d.* each, 5*s.* being given to the porter.

The witness was cross-examined by Mr. Cockburn on behalf of the prisoners, when he admitted that he had followed many businesses, both in Ireland and in Scotland. He had been frequently concerned in supplying medical schools with subjects, but had never assisted in raising any bodies from church-yards. He had often seen bodies carried to the houses of medical lecturers, but declined to say how often; he also declined to say whether he had been concerned in the murder of any other person but the old woman, and whether he had been present at any other murder in the course of the same month of October.

Digitized by Google

Digitized by Google

Digitized by Google

Mrs. Laird, the wife of this witness, gave evidence very similar to that of her husband, corroborating his statements as to so many of the transactions which he had described as had fallen within her knowledge and observation.

This completed the case for the prosecution, and a most humane and able address having been delivered to the jury by Lord Meadowbank, at half-past eight o'clock in the evening, they retired to consider their verdict. During the period of their absence, which extended to fifty minutes, the most breathless anxiety was exhibited as to the result of the trial, and upon their re-entering the court, an eager silence prevailed amongst the persons assembled. The verdict consigned Burke to an ignominious fate by a declaration of his guilt; but the jury, contrary to all expectation, declared, that as to Mrs. M'Dougal, the offence alleged was "not proven," a finding which relieved her from all immediate consequences upon the indictment.

Lord Meadowbank immediately passed the sentence of death upon Burke, and ordered him to be hanged on the 28th January, 1830, and his body to be delivered over to the surgeons for dissection.

He and his fellow prisoner, M'Dougal, were then immediately conveyed to the lock-up house attached to the court, where they met Hare and his wife, who, although they had been examined as witnesses, were detained to answer any charge which might be preferred against them. Hare, on his way to this place from the court, had been seized with a sudden fit of fiendish and malignant exultation at his own supposed escape from punishment, and at the success of his schemes to bring the neck of his fellow-murderers into the noose, which had not ceased when Burke and M'Dougal were introduced. His spirits somewhat fell, however, when he learned that he was to be conveyed to Calton-hill jail, with his wife, to await the result of the deliberations of the legal authorities, as to his prosecution upon certain charges of murder, of which there was no doubt he had been guilty, and upon his entrance to that prison the most direful forebodings appeared to fill his mind with apprehension. His wife was a fitting comrade for such a husband. While giving her evidence she had in her arms a child, ill of hooping-cough, and altogether the picture of abject misery, wretchedness, and disease; but instead of treating it with that maternal tenderness which even the tigress shows for her whelps, she seemed to regard it with aversion and hatred, shaking and squeezing it, whenever the cough seized it, with the expression of a fury in her countenance.

On the succeeding Friday, Mrs. M'Dougal, who had been allowed to remain so long in custody from motives of humanity only, fears being entertained that if she were to go at large, her life would be sacrificed to the vengeance of the mob, was discharged, and forthwith proceeded to her old abode, the scene of so many horrible transactions. On the next day she ventured out to a neighbouring liquor-shop to purchase whiskey, but she was instantly recognised,—the spirit was refused her, and the mob gaining intelligence as to who she was, she was compelled to fly for her life. Fortunately for her, the police interfered, and conducted her again to the prison, thereby saving her from violence; but there can be little doubt that, but for this fortunate intervention in her behalf, she would have fallen a victim to the vengeance of the justly indignant populace.

In the mean time Burke had become scarcely less communicative than

Digitized by Google

Hare had previously been. He made no denial of the truth of the statements which had been made by that wretch, and confirmed the horrid tale related by him, by declaring that he had sold as many as thirty or forty subjects to the surgeons, although he subsequently admitted, like his companion, that he had never once been concerned as a resurrectionist; a confession from which nothing could be inferred but that he had been a party to as many murders as he had sold dead bodies. Nor was this declaration, horrible as it was, without corroboration. The appearances of the den which he inhabited—its loneliness marking it as a fit stage for the enactment of such tragedies; the various articles found in it; the frequent disappearance of persons of the lower orders, and of women of an unfortunate class, for whom, abandoned as they were by the friends and relations whom they had dishonoured, and excluded from all notice and regard by the virtuous part of the community, no person cared to inquire; were circumstances, all of which tended to impress the public mind with a firm belief of the truth of the dreadful suspicions which were raised by the prisoner's unsatisfactory but most frightful admissions.

The conclusion to which these circumstances lead is as obvious as it is appalling; and to strengthen it we shall here introduce a statement which was published at the time, and which may be relied on. About six months previously to these transactions, the body of a female was offered for sale by some miscreants, probably of Burke's gang, to the assistant of a most respectable teacher of anatomy in Edinburgh. The ruffians offering it were not known to him, and were not resurrection-men; but as a subject was required, he said he would take it if it suited him when he examined it, and asked when they could bring the body. They replied that they had it now, and that they would bring it to the dissecting-room in the evening, between nine and ten o'clock. At the appointed hour, accordingly, they made their appearance, accompanied by a porter, with the body in a sack. It was taken in, of course, and turned out of the sack, when it proved to be the body of a female, as had been stated by the ruffians—a woman of the town in her clothes, and with her shoes and stockings on. The assistant was startled, and proceeded at once to examine the body, when he found an enormous fracture in the back part of the head, and a large portion of the skull driven in, as if by a blow from the blunt part of a hatchet, or some such weapon. On making this discovery, he instantly exclaimed, "You villains, where and how did you get this body?" To which one replied, with great apparent *sang-froid*, that it was the body of a woman who had been "popped in a row (murdered in a brawl) in Halkerston's Wynd," and that if he did not choose to take it another would. The assistant then suggested that they should wait till he sent for his principal, his intention being to have them detained; but not relishing this proposal, the ruffians (three in number, besides the porter) immediately withdrew with their horrid cargo, and, doubtless, soon found a less scrupulous purchaser. Statements of a similar character were subsequently made in many of the Scotch journals, and there appears to be too good reason to suppose that they were perfectly true.

When we consider this most singular and atrocious conspiracy, and the characters of the different actors in it, as we understand them to be, it should seem as if each of them had his allotted part in the bloody drama. Hare was a rude ruffian, with all the outward appearances of his nature—

Digitized by Google

drunken, ferocious, and profligate; and far likelier to repel than to ensnare any one by a specious show, which he was quite incapable of putting on. He appears, however, to have been the more deeply designing of the two; and to have over-reached his associate, Burke, whom he succeeded in always thrusting forward, with a view, we have no doubt, of turning short upon him, as he did at the last, and consigning him to the gallows, when this should be necessary, in order to save himself. Burke was, indeed, the only one of the two qualified to manage the out-door business of the co-partnery; and he it was, accordingly, who always went out to prowl for victims, and to decoy them to their destruction. In his outward manners he was entirely the reverse of Hare. He was, as we learn from good authority, quiet in his demeanor: he was never riotous; was never heard cursing and swearing; and even when he was the worse of drink, he walked so quietly into his own house, that his foot was never heard along the passage. He was of a fawning address, and was so well liked by the children in the neighbourhood, that each was more ready than another to do his errands. The riots which often occurred in the house, and in which Hare always bore a conspicuous part, were, there is no doubt, got up on purpose, either when they were in the act of committing murder, or that the neighbours might not be alarmed at the noise which inevitably accompanied the mortal struggle between them and the unhappy inmates whom they had enticed into their dwelling.

We have already mentioned the full statements made by Hare, as to the horrid traffic in which he had been engaged, which were not published in the form in which they fell from the lips of this diabolical ruffian. Some portions of them, however, escaped and found their way into the public papers; and regretting our inability to lay before our readers the whole of his history of this terrible case, we shall present to them so much of his story as we have been able to learn:—

The first murder which he charged against Burke, although it is surmised that several had been committed before that time, was that of a girl named Paterson, who was about eighteen or twenty years of age. It appears, that this girl, with one of her associates, Janet Brown, had been lodged in the Canongate police-office, on Tuesday night, the 8th of April. They were kept till six o'clock the next morning, when they went to the house of one Swanstoun, to procure spirits. Here they were met by Burke, who asked them to drink. He afterwards prevailed on them to go with him to breakfast, and gave them two bottles of spirits to carry along with them. They accompanied him to his brother Constantine Burke's house, in the Canongate. This man was a scavenger, and went out at his usual hour to work. After they had been in the house for some time, Burke and his wife began to quarrel and to fight, which seems to have been the usual preliminary to mischief. In the midst of this uproar, Hare, who had been sent for, and who was a principal agent in this scene of villany, entered, and in the mean time Janet Brown, agitated seemingly, and alarmed by the appearance of violence, wished to leave the house, and to take her companion along with her. By this time it was about ten o'clock, and Paterson was asleep in one of the beds, totally unconscious of her approaching fate. The other girl went out, and was absent about twenty minutes. When she returned she asked for Paterson, and was told that she had left the house. She came back in the afternoon in search of her,

Digitized by Google

and received the same answer. By this time she was murdered. Burke had availed himself of the short interval of twenty minutes, during which her companion, Janet Brown, was absent, to execute his horrid purpose, when she was asleep, by stopping her breath; and that very afternoon, between five and six o'clock, her body was taken to the dissecting-room, and disposed of for eight pounds. The appearance of this body, which was quite fresh—which had not even begun to grow stiff—of which the face was settled and pleasant, without any expression of pain—awakened suspicions; and Burke was closely questioned as to where he procured it. He easily framed some plausible excuse that he had purchased it from the house where she died; which silenced all further suspicion.

We have already alluded to the murder of an idiot. His name was James Wilson; but he was more commonly known by the appellation of "Daft Jamie." The circumstances attending his assassination were even, if possible, more revolting than those of the women Campbell or Paterson. The appearance of this creature showed at once the imbecility of his mind, and was such that he was universally regarded with a feeling of tenderness and sympathy. He was quite harmless and kind-hearted; and was on this account generally liked, and well treated; and there were certain houses where he was admitted as a familiar guest, and kindly entertained. It is probable that he had been for some time watched by this gang of murderers, and marked out as one that might be easily taken off without exciting suspicion. Accident unfortunately threw him in their way. He was met by Burke at nine o'clock one morning, in the beginning of October 1828, wandering about in his usual manner in the Grass-market. He instantly accosted him in his fawning manner, and inquired of him whether he was in search of any one; he told him he was seeking his mother, to whom, as he was a creature of kindly dispositions, he was warmly attached. The wretch at once saw that he now had him within his grasp, and instantly commenced his schemes for drawing him away to some convenient place where he might be murdered. He contrived to persuade him that he knew where his mother had gone, and would take him to the place; and by coaxing and flattery he at length decoyed him into Hare's house. Here those monsters of iniquity, exulting over their deluded victim, began to pretend the greatest affection for him, and having procured liquor, they pressed it upon him. He at first decidedly refused, but they so far wrought upon his good nature by their assumed kindness, that they induced him to join them in their cups, and they plied him so effectually, that he was soon overpowered, and lying down on the floor, fell asleep. Burke, who was anxiously watching his opportunity, then said to Hare, "Shall I do it now?" to which Hare replied, "He is too strong for you yet; you had better let him alone for a while." Both the ruffians seem to have been afraid of the physical strength which they knew the poor creature possessed, and of the use he would make of it, if prematurely roused. Burke accordingly waited a little, but impatient at the delay, and anxious to accomplish his object, he suddenly threw himself upon Jamie, and attempted to strangle him. Oppressed as he was with the influence of liquor, he was roused at once by this assault to a full sense of his danger; and, by a dreadful effort, he threw off Burke, and sprung to his feet, when the mortal struggle began. Jamie fought with all the fury of despair, and would have been an overmatch for either one of the ruffian assailants.

Digitized by Google

Burke had actually the worst of the struggle, and was about to be overpowered, when he called out furiously to Hare to assist him. Hare rushing forward, turned the balance of the unequal conflict by tripping up Jamie's heels, and afterwards dragging him along the floor, with Burke lying above him. In the course of this contest, the unhappy object of this dreadful violence contrived to lay hold of Burke with his teeth, and to inflict on him a wound which occasioned a cancer, that would in all probability have shortened his days, even if he had escaped the vengeance of the law. None were present at this murder, which was completed before mid-day, except the two ruffians themselves; but the body was recognised in the dissecting-room by one of the students.

We have stated that the confessions of Hare were fully corroborated by the statements made by Burke subsequent to his conviction. The following conversation, which took place between him and one of the officers of the jail, sufficiently indicate the state of his mind at this time, and the respective degrees of guilt attributable to him and to Hare:—

Before a question was put to him concerning the crimes he had been engaged in, he was solemnly reminded of the duty incumbent upon him, situated as he was, to banish from his mind every feeling of animosity towards Hare, on account of the evidence which the latter gave at the trial; he was told, that, as a dying man, covered with guilt, and without hope, except in the infinite mercy of Almighty God, he, who stood so much in need of forgiveness, must prepare himself to seek it by forgiving from his heart all who had done him wrong; and he was most emphatically adjured to speak the truth, and nothing but the truth, without any attempt either to palliate his own iniquities, or to implicate Hare more deeply than the facts warranted. Thus admonished, and thus warned, he answered the several interrogatories in the terms below stated; declaring at the same time, upon the word of a dying man, that everything he should say would be true, and that he would in no respect exaggerate or extenuate anything, either from a desire to inculpate Hare, or to spare any one else.

After some conversation of a religious nature—in the course of which he stated, that while in Ireland his mind was under the influence of religious impressions, and that he was accustomed to read his Catechism and his Prayer-book, and to attend to his duties—he was asked, "How comes it, then, that you, who, by your own account, were once under the influence of religious impressions, ever formed the idea of such dreadful atrocities, of such cold-blooded, systematic murders, as you admit you have been engaged in—how came such a conception to enter your mind?" To this Burke replied, that he did not exactly know; but that, becoming addicted to drink, living in open adultery, and associating continually with the most abandoned characters, he gradually became hardened and desperate, gave up attending Chapel or any place of religious worship, shunned the face of a priest, and being constantly familiar with every species of wickedness, he at length grew indifferent as to what he did, and was ready to commit any crime.

He was then asked how long he had been engaged in this murderous traffic? To which he answered, "From Christmas 1827, till the murder of the woman Campbell, in October last." "How many persons have you murdered, or been concerned in murdering, during that time? Were they thirty in all?"—"Not so many; not so many; I assure you."

Digitized by Google

"How many?" He answered the question; but the answer was, for a reason perfectly satisfactory, reserved.

"Had you any accomplices?"—"None but Hare. We always took care, when we were going to commit murder, that no one else should be present—that no one could swear he saw the deed done. The women might suspect what we were about, but we always put them out of the way when we were going to do it. They never saw us commit any of the murders. One of the murders was done in Broggan's house, while he was out; but before he returned, the thing was finished, and the body put into a box. Broggan evidently suspected something, for he appeared much agitated, and entreated us 'to take away that box,' which we accordingly did; but he was not in any way concerned in it."

"You have already told me that you were engaged in these atrocities from Christmas 1827 till the end of October 1828: were you associated with Hare during all that time?"—"Yes: we began with selling to Dr. —— the body of a woman who had died a natural death in Hare's house. We got 10*l.* for it. After this we began the murders, and all the rest of the bodies we sold to him were murdered."

"In what place were these murders generally committed?"—"They were mostly committed in Hare's house, which was very convenient for the purpose, as it consisted of a room and a kitchen; Daft Jamie was murdered there; the story told of this murder is incorrect. Hare began the struggle with him, and they fell and rolled together on the floor; then I went to Hare's assistance, and we at length finished him, though with much difficulty. I committed one murder in the country by myself; it was in last harvest; all the rest were done in conjunction with Hare."

"By what means were these fearful atrocities perpetrated?"—"By suffocation. We made the persons drunk, and then suffocated them by holding the nostrils and mouth, and getting on the body; sometimes I held the mouth and nose, while Hare knelt upon the body; and sometimes Hare held the mouth and nose, while I placed myself upon the body. Hare has perjured himself by what he said at the trial about the murder of Campbell; he did not sit by while I did it, as he says; he was on the body assisting me with all his might, while I held the nostrils and mouth with one hand, and choked her under the throat with the other; we sometimes used a pillow, but did not in this case."

"Now, Burke, answer me this question: were you tutored or instructed, or did you receive hints from any one, as to the mode of committing murder?"—"No, except from Hare. We often spoke about it, and we agreed that suffocation was the best way. Hare said so, and I agreed with him. We generally did it by suffocation."

"Did you receive any encouragement to commit or persevere in committing these atrocities?"—"Yes; we were frequently told by Paterson that he would take as many bodies as we could get for him. When we got one, he always told us to get more. There was commonly another person with him of the name of Falconer. They generally pressed us to get more bodies."

"To whom were the bodies so murdered sold?"—"To Dr. ———. We took the bodies to his rooms in ————, and then went to his house to receive the money for them. Sometimes he paid us himself; sometimes we were paid by his assistants. No questions were ever asked as to the

Digitized by Google

mode in which we had come by the bodies. We had nothing to do but to leave a body at the rooms, and to go and get the money."

"Did you ever, upon any occasion, sell a body or bodies to any other lecturer in this place?" "Never. We knew no other."

"You have been a resurrectionist (as it is called), I understand?" "No, neither Hare nor myself ever got a body from a churchyard. All we sold were murdered, save the first one, which was that of the woman who died a natural death in Hare's house. We began with that: our crimes then commenced. The victims we selected were generally elderly persons. They could be more easily disposed of than persons in the vigour of youth."

Such were the horrible disclosures made by this man—disclosures of the truth of which there cannot be the smallest doubt. The general impression raised by Burke's declaration was, that he had been originally the dupe of Hare, and that the latter having been before engaged in a similar traffic had driven him on, after having once enlisted him in the service, to commit atrocities of which he would not otherwise have been guilty.

With such a belief almost universally pervading society, it may well be imagined that a notification which was given that no prosecution would take place against Hare was received with no small degree of surprise. A cry that he, like Burke, should be subjected to the punishment due to his crimes, was raised, but was met by a positive refusal on the part of the public prosecutor to permit any proceedings to be taken against him of a criminal nature. Great excitement was created by this determination being made known, but its propriety must be now, as indeed it was then upon mature consideration, admitted. No one, we believe, will deny that immense advantages would have been derived by society from the visitation of condign punishment upon every one of the wretches, male and female, who had disgraced the human form, by aiding and abetting the perpetration of these unheard of atrocities; but it was felt that care must be taken that in the anxiety which existed to visit the guilty with the reward of their criminal acts, the great landmarks of conservative law were not overthrown. Whatever the terms were upon which the evidence of Hare was obtained, it behoved the public authorities of the country to act upon them to their fullest extent; and although probably, according to the strict rule, he would have been liable to be brought to trial upon any one of those murders in which he had been engaged, except that of Mrs. Campbell, the expediency of such a proceeding may well be doubted. His arraignment for any offence, without the certainty of his conviction, might have been to place the authorities in a position, in which they would have been triumphed over by this ruffian. Who, we ask, could have been produced as a witness to fix any crime upon him? His own confession was taken for another purpose, and was a privileged communication which could not be produced in evidence against him;—that of Burke would be equally useless, for before any trial could take place, he would be a "hanged man," and his statement being *ex parte*, could not legally be laid before the jury. Mrs. M'Dougal, burning with vengeance for the loss of her paramour, would be so prejudiced as to render her testimony impossible to be believed, and Mrs. Hare could not be examined as a witness against her own husband. The other witnesses on the trial had deposed to facts and circumstances which were in themselves vague and uncertain when stripped

Digitized by Google

of the admissions, positive and negative, of Hare and Burke, which alone served to flash upon them the light of truth in a horrid and appalling glare, but which, as we have already said, could not be used in any new inquiry. If a new investigation had commenced in which Hare was the person charged, the peace of the community might have been disturbed. Great excitement would undoubtedly have been created, and it was deemed impolitic for the sake of the character of the nation, when a conviction was uncertain, to expose a wretch like this prisoner to popular outrage. Edinburgh had already had her share of those commotions, in which the people had snatched victims from the protection of the law, and wanted no other sacrifice; and however all men would have rejoiced, if in due course of law the whole of this band of wretches could have been punished by the gibbet, all right-minded persons must have shrunk, even for such a purpose, from straining the law to sharp interpretations. Hare, therefore, it was felt, must be protected from the penal consequences of his crimes, and permitted to live a little longer. Such a wretch, however, could not have escaped with impunity. To a mind capable of reflection death would have been comfort, compared with such a state of existence as that to which he was doomed. With whom, now that Burke was gone, could he associate? Where could he hide his head? The brand of "murderer" was on his brow,—the finger of the Almighty was upon him, as one for whom the chance of mercy was small and uncertain.

Notwithstanding these considerations, however, frequent reports were circulated that the friends of Daft Jamie were determined to commence a prosecution against his murderer; and a petition was actually presented to the High Court of Justiciary in the name of his mother and sister, for a warrant to detain the prisoner in jail to answer the charge; but the court declined to interfere, as such a step would be unnecessary, the right of prosecution lying in the hands of the Lord Advocate, who was bound to take such steps as were proper and requisite.

In the meantime Mrs. M'Dougal having been again suffered to quit the jail, succeeded in making her escape from Edinburgh unperceived. Upon the night on which she was taken to the prison for security by the police, she affected to be sensible of her condition, but assured the officers that she was herself nearly falling a victim to the horrible system in which Burke had been engaged. She then related a plausible tale of her having overheard Burke and Hare come to a determination to murder her in case of their wanting a subject. She stated, that one night Burke and Hare were carousing in one of the apartments of Hare's human shambles on the profit of a recent murder. In the midst of their unhallowed orgies, Hare raised his hand, and in a fit of fiendish exultation, stated that they could never want money; for when they were at a loss for a "shot"—a body for dissection—they would murder and sell, first one and then the other of their own wives. Being in the adjoining apartment, the females overheard, and were petrified by this horrible resolution, as they had every reason to believe that the monsters would certainly carry it into effect. A discussion of some length ensued, and Hare finally succeeded in persuading Burke to consent, that when the dreadful emergency did arrive, M'Dougal should be the first victim. Upon her leaving the prison she was seen to go in a direction as if she intended to quit the city of Edinburgh, and unsought, and unasked for, she was never again seen within the limits of the place which she had polluted by her presence.

Digitized by Google

On Wednesday the 28th of January, pursuant to his sentence, Burke underwent the last penalty of the law. During the latter portion of his confinement, he declared that his confession had tended materially to relieve his mind; and he professed great contrition for his crimes. On the day of his execution he was removed from the jail to the lock-up, at the Court-house, where the scaffold had been erected, under a strong escort of police. The crowd which had assembled to witness his final exit from the scene of life was tremendous; and seats commanding a view of the gallows were let at a large price. Upon his coming forth upon the platform, he was assailed by the hideous yells of public execration, with a species of ferocious exultation. The concluding moments of his existence must have caused him the most acute suffering, for, stung to madness by the horrible shrieks with which he was greeted, he appeared anxious to hurry the executioner in the performance of his duty, as if desirous to escape from that life which he had spent so ill. Very soon after eight o'clock, he was tied up to the gallows in the usual way; and he immediately gave the signal for the falling of the drop, by throwing down his handkerchief. A short, but apparently a severe struggle succeeded; and in less than two minutes he ceased to move. His body hung suspended for half an hour, when it was cut down, and placed in a shell, which had been brought to the scaffold for its reception. A struggle took place among the officials present for scraps of the rope with which he had been hanged, shavings of his coffin, and other relics of a similar character; but by nine o'clock, the crowd had dispersed, and in a few hours afterwards, all appearance of his execution had vanished.

The case of Hare was argued before the Scotch judges on the 5th of February; and by a majority of four to two, they determined that the public faith had been pledged to him, when his evidence was received against Burke, that he should be borne harmless, and he was ordered to be discharged. It was found, however, that by an ancient form of law he might be detained for the costs of the suit, and his final deliberation was therefore delayed; but on Thursday, the 12th of the same month, he and his wife were set at liberty. They appear upon their discharge to have parted company; for Mrs. Hare was nearly sacrificed to the fury of the mob at Glasgow, to which place she wended her way, while her husband proceeded by mail to Dumfries, where he was near meeting a similar fate. The mail, it appears, landed him at about seven o'clock in the morning; and although there was no intimation of his arrival, he was recognised by the mob, who immediately assailed him with the bitterest execrations, and with stones and other missiles. He succeeded in effecting his escape from them into the King's Arms Inn, where he obtained a refuge; but a crowd of persons surrounded the house, and demanded that he should be given up to their fury. For a considerable time consequences of a dangerous nature were apprehended; but night having arrived, the people dispersed; and when all was quiet, Hare quitted the house, and made a precipitate retreat from the town—whither, it was not known. The subsequent history of this atrocious ruffian, and of his wife and Mrs. M'Dougal, must, we believe, for ever remain a mystery. Their crimes and their notoriety would be sufficient to prevent their acknowledging their names, or the fact of their being the participators in these horrible transactions; and it is to be hoped, that when they quitted the

Digitized by Google

scene of their dreadful offences, they did so with sincere thankfulness to the Almighty for the escape which they had had from a sudden and ignominious death, and with a firm determination to make use of that period which was granted them to live, to atone, by their repentance, for their sins.

We cannot quit this subject without remarking upon the effects which were produced by these revolting murders. It was on the 28th of January, that Burke expiated his crimes upon the scaffold, and Parliament met on the 5th of the ensuing month of February. On the 12th of the same month, Mr. Warburton gave notice of his intention of bringing the whole subject before the House of Commons. Rumours by this time had become general throughout the metropolis that the same system which had been carried on in Edinburgh had been discovered to exist in London; and the public, whose fears were easily alarmed by such a statement, immediately concluded that every report of a missing person confirmed that which now became a pretty general belief. The daily papers were filled with accounts of persons who had suddenly disappeared, and who were supposed to have been "burked," the term now universally employed in the description of the murders committed by the atrocious gang, whose villanies had just been brought to light; and the universal alarm which prevailed was rendered greater by the absurd practice of idle or drunken fellows who stopped persons whom they met in lonely situations, pretending to clap a plaister over their noses and mouths, with an intention to suffocate them. Complaints were made to the police of the system of creating alarm which was carried on, and their utmost vigilance was called for to protect the public from absolute danger, as well as from the terror which was everywhere excited. Accounts were sometimes received of dead bodies having been discovered packed in brine tubs, on their way to Edinburgh from London, and every case of this description was tortured into proof of the existence of a scheme of murder in the latter place, even more dreadful than that which had been discovered in Scotland.

Owing to the long and most important discussions, which at this period were carried on in both houses of parliament, upon the subject of the claims of the catholics for relief, it was not until Thursday, the 12th of March, that this subject could be brought under the attention of the legislature. Mr. Warburton then moved in the House of Commons for leave to bring in a bill to legalise and regulate the supply of dead bodies for dissection. The honourable gentleman in stating to the house the general grounds upon which he made his motion, said that his first object would be, to confer a species of legality on the practice of anatomy; and with this view he should propose—first, an enactment to render anatomy lawful, both in its practice and as a mode of instruction in all cities or towns corporate wherein there were schools which conferred degrees in anatomy, or wherein there were hospitals which were capable of receiving fifty patients at a time. The next difficulty to surmount would be the obtaining a sufficient number of subjects for the purposes of science and instruction. His project had for its basis the practice of the French government in the city of Paris. He, therefore, should propose that the overseers of the poor, in certain cases, and the governors of hospitals, should be empowered by the bill to give up to surgical examination the bodies of such persons as fell victims to disease whilst in the hospital, and were not claimed within a certain

Digitized by Google

time after their decease. Here he begged that he should not be understood to treat the feelings of the lower orders with the slightest degree of disrespect by the present enactment. He begged them to take this into their consideration, and also to reflect, that in the case of the late disclosures of the horrid atrocities committed in order to obtain a supply of subjects for dissection in Edinburgh, the lower classes had in all cases been the victims. The motion of the hon. member was fully approved of by the House, and a bill was on the same night introduced, embodying the general principles which he had detailed. The bill passed the House of Commons in the course of the same session, but upon its reaching the House of Lords, so many noble individuals were found who objected to its principle, by which, it was said, the poor were subjected to what might be considered an evil, in which the rich did not participate, that it was withdrawn.

It was not until the recurrence of events in the metropolis of London, similar in character to those which we have just described,—the murders committed by Bishop and Williams,—that the subject again received the attention of parliament. In the session of 1831, Mr. Warburton once more moved for leave to introduce a bill, the provisions of which, although they were mainly the same as those of his former measure, differed from it in some important respects. By the new bill, the consent of the party whose body was to be submitted to dissection was required to be obtained before his death, as a condition precedent to its being handed over to the surgeons, and the whole system was to be placed under the superintending direction of inspectors and commissioners appointed for that purpose. This bill was introduced on Thursday, Dec. 15, and after undergoing considerable discussion, it at length passed into a law in the same session.

The act having been in operation during a period of upwards of eight years, has been found to have been attended with the most advantageous results, and the exertions of Dr. Southwood Smith, who holds a responsible situation under its provisions, have tended in no small degree to secure this admirable effect. The offence of body-snatching is now no longer heard of; for the object of the crime having been removed, the crime itself has ceased to be committed.

Happy would it have been for the interests of the community, if, before these dreadful scenes were witnessed and brought to light, some similar plan had met the approbation of the legislature.

EDWARD BARNETT.

EXECUTED FOR MURDER.

THE dreadful murder for which this young man was executed, was scarcely less frightful in its nature than that of the unfortunate Maria Marten.

It was on the morning of Sunday, September 28th, 1828, that this deed of blood was discovered, when the murdered remains of a woman named Esther Stevens were found in a house which she occupied in the town of Monmouth. The wretched woman, it appeared, was born on the Kymin, a high mountain near Monmouth, and from her being in the habit of frequenting certain districts of the hill of her birth, she passed by the familiar epithet of "Hall of the Kymin." At an early age she was

Digitized by Google

married to a man named Stevens, a bargeman, to whom in later years, however, she appears to have exhibited considerable dislike. Stevens' employment necessarily called him from home for considerable periods, and during these absences, his unhappy wife formed acquaintances with other men, of a criminal nature,—a step to which eventually she owed her murder. Amongst these guilty companions of her adultery was a man named William Davis, living at a village called Christchurch, near Carleon, on the Newport road, to whom she represented herself as a single woman, and to whom also she had promised marriage. A later connexion, however, was formed by her with Barnett, who resided in Monmouth—the miserable subject of this sketch.

Barnett, it appears, was strongly attached to Mrs. Stevens, and looked with the most uncontrollable feelings of jealousy upon her connexion with Davis. Immediately before the murder she had been living with Davis under an assumed name at Carleon, during her husband's absence, and Barnett discovering her position, quitted his mother's house, where he resided, in order to endeavour to induce her to return to Monmouth. In this effort he succeeded, and on Friday, 26th September, they quitted Carleon together. Mrs. Stevens, however, passed that night in the great wood on the Kymin, and Barnett was observed to leave her at the skirts of the wood in the morning. He proceeded home again, and on his arrival produced a loaded pistol from his pocket, and these circumstances, coupled with the contents of a letter, sent by the unfortunate woman to Davis, in which she stated that something dreadful was going to happen, led to a supposition that a threat of murder was made by Barnett on that night, in the event of her again joining her paramour at Christchurch. On Saturday afternoon Barnett received a letter from Mrs. Stevens, desiring an interview, and he quitted his home in order to obey the request which she made. At this time he had in his possession a shot-bag containing 30*l.* in notes, gold, and silver, and was attired in a shooting jacket and laced boots. He did not again return home, and on the following morning the wretched woman was found lying in her house, brutally murdered.

Her husband was at first supposed to have been the author of this revolting act, in revenge upon his discovering her perfidy to him; but upon an attentive examination of the appearances which presented themselves, and a due inquiry into the circumstances which had preceded the murder, his innocence and the guilt of Barnett became evident. At the time of the discovery of the murder, the door of the house was found open, and some persons, led on by curiosity, upon going up stairs, were horror-struck at perceiving the mangled remains of Mrs. Stevens lying on the floor of the bedroom. Upon the constables of the place being informed of the circumstance, they immediately proceeded to investigate the affair. Upon inquiry of a man named Pearce, residing next door, they found that in the course of the night Mrs. Stevens had been heard to go up stairs, as if slip-shod, and directly afterwards they heard screams; but as such events were common, as arising out of frequent quarrels between the deceased and her husband, they took no notice of the occurrence. From further inquiries, however, it was ascertained that Stevens had not slept at home on that night, and from the discovery of Barnett's shot-bag and money, his shooting coat and boots in the room, it became obvious that he had been a

Digitized by Google

partner in the unhappy woman's bed, and having murdered her, had fled to avoid his apprehension. From the statement of Pearce, and certain appearances which presented themselves in the house, it was supposed that Mrs. Stevens had risen in the night in order to prepare the lower room for the morning meal, as the kettle was found full on the fire, and the usual utensils were laid ready for use, and it was concluded that Barnett waking just as the wretched woman was returning to the sleeping apartment, was excited by some jealous apprehension of her having quitted his bed to meet some other paramour, and had rushed upon her and murdered her.

The manner in which the fearful deed had been committed, was exhibited by the discovery of a case-knife covered with blood, on the floor, near the body of the deceased; and one tremendous gash across the throat was evidently the cause of death. The deed must have been completed with great rapidity, and the murderer, alarmed by his crime, appeared to have run off only partially dressed, and without even wiping the gore from his hands, as bloody finger-marks were distinctly visible on the stairs. The deceased too was attired only in a portion of her clothes; her cap was found lying under her head, saturated with blood, and her ear-rings, which had fallen from her ears, were picked up close to her in the room. The case-knife, with which the dreadful wound had been inflicted, appeared to have been taken from a drawer of a table which was open, close by the body.

Upon further search being made, it was found that Barnett could nowhere be seen,—a circumstance which tended materially to confirm the suspicions already excited against him. Evidence was also obtained of his having been observed crossing the Wye, without his coat, hat, or boots, and messengers were immediately despatched in every direction in search of him.

The scene in the Jury-room where the inquest was held on the Tuesday night was of the most affecting description. On the table lay the bloody garments of the murdered woman, the instrument of death, and the clothes, money, &c. of the murderer. Thirty-three witnesses were in attendance to enter into sureties to attend and give evidence at the Assizes. Amidst this group might be noticed the husband of the deceased, who deeply felt the peculiarity of his situation. The mother of the supposed murderer attracted universal attention—fast declining in years, called on by the justice of her country to sign her deposition, and to enter into recognizances against her son, her hand appeared to refuse its office, and with the utmost difficulty could she make her mark. And amidst the spectators might also be observed the father of the deceased, whose care-worn face and anxiety of countenance bespoke the inward workings of his mind for a guilty murdered child.

A verdict of wilful murder against Edward Barnett was returned by the coroner's jury, and on Monday, the 6th of October, he was brought in custody to Monmouth, by Fuller, an officer, by whom he had been apprehended in Liverpool, and to whom he did not scruple to make a general confession of his guilt.

Upon his being conveyed before the magistrates, he appeared to be about twenty-three years of age, stout and well-made, with sandy hair. He had on the trousers and waistcoat which he was supposed to have had with him at the time of committing the murder, a pair of shoes which he was found to have begged at the turnpike at Irenchester, and an old hat not worth a penny. He was still without a coat; his shirt-sleeves, par-

Digitized by Google

ticularly at the wristbands, very dirty; no neckerchief; his waistcoat of the yellow plush kind, spotted, but no marks of blood were discernible on any part of his dress. He appeared unmoved at the awfulness of his situation, and his eyes were downcast; a slight hectic tinged his cheeks when the inquisition was read over. The coroner informed him of the verdict against him, and his intention of having all the depositions read over in his hearing; and if he had any remark to make, or had a wish to ask any witness a question, they should be sent for, the town clerk cautioning him at the same time most earnestly not to say anything which might tend to criminate himself. He gave a deep sigh on the constable's producing his clothes, but did not evince the least emotion on the production of the blody knife. During the reading of the depositions, he stood up in a firm and erect manner, fixing his eyes intensely on the town-clerk, and did not betray any internal feeling; with this exception, that when the husband's evidence was being read over, there was a slight convulsion of the lower lip, accompanied by a deep-drawn sigh. The evidence being gone through, he was asked by the coroner if he had any remark to make. To this he gave no answer; and on its being repeated by the town-clerk, he faintly answered, "No." He then sat down with apparent exhaustion, which might have been produced by the heat of a crowded room. His manner throughout was not that of a guilty man, with the exception of his downcast eyes. His cast of features was rather prepossessing, and a low smile was occasionally discovered. His firmness and self-possession were the universal theme of remark.

The warrant for his commitment being made out, a post-chaise was ordered, in which he was conveyed to the jail to await his trial at the assizes.

It was not until the spring assizes of the following year that his trial came on; and then the evidence of his guilt was so conclusive as to leave the jury no alternative as to the verdict which they should return.

Sentence of death was immediately passed upon him, and on Thursday 9th of April, 1829, he underwent the extreme penalty of the law.

During the whole period of his confinement and on his trial he exhibited the utmost firmness and self-possession, and his demeanour was in no way altered upon the morning of his execution. He ascended the gallows with an unhesitating step, and was turned off without exhibiting any sign of remorse, or sense of the dreadful position in which he was placed.

ESTHER HIBNER, THE ELDER; ESTHER HIBNER, THE YOUNGER; AND ANN ROBINSON.

TRIED FOR THE MURDER OF A PARISH APPRENTICE.

In the case of these offenders we have to present our readers with a murder, equal in atrocity to that committed by the notorious Brownrigg, whose fate we have already related.

These unnatural women were indicted at the Old Bailey, on the 10th of April, 1829, for the wilful murder of Frances Colpitt, aged ten years, the parish apprentice of the elder Hibner.

Digitized by Google

Mr. Bolland (with whom was Mr. Alley) stated the case. He observed, that the facts he had to lay before the jury must excite the greatest horror in the minds of those who heard the dreadful narration; but he thanked God that such a case as the present was of unfrequent occurrence in this country. The deceased, who was only ten years of age, was a pauper, and was apprenticed to the prisoner, Esther Hibner, the elder, who resided at Platt Terrace, Pancras Road, by the overseers of St. Martin's parish, to learn the business of fabricating tambour-work. She was apprenticed on the 7th of April, 1828, and in the month of October following, a system of the most cruel and unnatural treatment was commenced by the prisoners towards the unfortunate deceased and the other children who were placed under their care by St. Martin's and other parishes. They were not allowed sufficient sustenance, were compelled to rise to begin work at three and four in the morning, and were kept at work till eleven at night, sometimes two in the morning, and sometimes all night. They had scarcely any bed to lie on; and frequently during the most inclement season their resting-place was the flooring, and their only covering was an old rug. The prisoners and their family had good bedding and clothes, and every comfort that they desired. The children were not permitted to go out to obtain necessary air and exercise; and thus the cruel treatment they had experienced had terminated fatally with three of them. The child which was the subject of the present indictment had been reduced to such a deplorable condition that her feet mortified; and this, combined with the bursting of an abscess on the lungs, brought on by the ill-treatment the child had experienced, occasioned her death. The breakfast which was allowed the children, was a slice of bread and a cup of milk; and if they were indulged with this luxury, they had no more food all the day. Sometimes the elder Hibner said the deceased and the other children had not earned their breakfast, and then a few potatoes were given them in the middle of the day, and nothing more afterwards till the following morning. Nine pounds of potatoes were divided amongst the whole family, which consisted of twelve persons; they were allowed meat only once a fortnight; and on Sundays they were locked in the kitchen, the windows of which were closed. It would be proved that the younger prisoner, Hibner, had taken the deceased from the frame, and knocked her down on the floor; she had then taken the deceased up, and knocked her down again. When the elder prisoner was informed that the deceased was lying in the room ill, instead of affording her that protection which she was bound to do, she replied, "Let her lie there." The deceased, when in that state that she could scarcely crawl about the house, was told by the younger Hibner to clean the stairs; she attempted to do it, but fell exhausted, and was unable to accomplish the task; the younger Hibner then took the deceased up stairs, and flogged her with a cane and a rod, and afterwards sent her down to finish the stairs; when she came down, she was unable, from weakness, to go to the proper place to obey the calls of nature, and wetted the stairs: when Hibner the younger discovered it, she rubbed the child's nose and face in it, and afterwards plunged her head into a pail of water; the prisoner Robinson, who was standing by, encouraged Hibner to commit this violence, and said, "Curse her! do it again, and that will finish her." The children often cried for food, and, to satisfy the cravings of nature, had eaten the meat that was brought in for the dog, and also some

Digitized by Google

pieces of meat which they picked out of the wash that was obtained for feeding the pig. It would be proved also, that all the prisoners had beaten the deceased; sometimes with a cane, sometimes with a rod, and sometimes with a shoe. The medical gentlemen who attended the deceased before death, and examined her body afterwards, would prove that they found large sores on the feet of the deceased, and her toes were mortifying and falling off. After death they examined the body, and found it in the most dreadful state, produced by the ill-treatment she had experienced from the prisoners, and from the want of proper food and nourishment. The case demanded the most serious attention of the Jury; and he felt satisfied that they would give the circumstances the most serious consideration before they arrived at their decision.

Evidence of the apprenticeship by the parish-officers, and of the dreadful state in which the deceased was found, was then given, and followed up by the testimony of three of the apprentices, who fully confirmed the narrative given by Mr. Bolland.

Charles James Wright, a surgeon, said, he went to visit the deceased at Mrs. Hibner's house; she had sores on her feet, and her toes were mortifying and dropping off, she died on the 15th of March. After death, he examined the body; he found that the lungs were nearly destroyed with abscess—the viscera were inflamed, and the body was otherwise diseased; there were also several bruises on the outside of the body; the proximate cause of death was the abscess on the lungs, and mortification on the feet. These were produced by the want of food and exercise, and the improper treatment which the child had received. The immersion of the child's head in cold water would, he considered, greatly accelerate the complaint on the lungs.

Two other medical gentleman, named Gozna and Bellin, gave similar evidence, and concurred in opinion that the treatment the deceased had received had accelerated the complaint on the lungs, and caused death.

This closed the case for the prosecution, and the prisoners were called upon for their defence.

The elder prisoner, Hibner, said she would leave her defence in the hands of her daughter.

The daughter said that the children had sworn falsely. They had been treated with the greatest kindness by her and her mother, since they had been in their house, and there was not the slightest ground for the accusation which had been preferred against them.

Robinson declared that what had been alleged against her was false. She was engaged by the Hibners only to assist them in their business, and went home every night at eight o'clock.

Mr. Baron Garrow then proceeded to sum up the case, and delivered a most feeling and impressive address, in the course of which he entreated the jury, however their feelings might have been excited by the horrible narrative they had heard, to come to a calm and temperate decision on the case. The elder prisoner was the person to whose protecting care this unfortunate child was consigned. She had promised that it should receive from her care and attention, and she was, therefore, bound to protect it from violence. His lordship then read over the evidence to the jury, and observed, that in deciding the case, the jury had to consider, first, whether the general ill-treatment which the child had received from the elder

Digitized by Google

prisoner had caused its death: if that were their opinion, the other two prisoners must be acquitted. If, on the other hand, they believed that the immersion of the child's head in cold water by the younger Hibner, in the presence of Robinson, had promoted the consumption, and had been the principal cause of the child's premature death, then they were bound to convict those two women and acquit the elder prisoner.

The jury after some deliberation found the elder Hibner guilty, but acquitted the other women.

The sentence of death was at once passed upon Mrs. Hibner, and she was ordered for execution on the following Monday; while the other women were directed to be detained, to be tried for the assault upon the deceased.

During the trial Mrs. Hibner did not exhibit the slightest feeling of remorse for her crimes, or of fear for the consequences of them; and upon her being arraigned upon a second indictment, which charged her with the diabolical murder of another of her apprentices, she pleaded not guilty with all the firmness of conscious innocence, although as the poor child's death had been the result of the same dreadful course of treatment adopted towards Colpitt, there could be no doubt of her legal and moral responsibility for the crime, which had hurried the wretched being from the world. As a capital conviction had already been obtained against the prisoner, it was thought unnecessary to obtain the verdict of the jury upon this second indictment; and the horrid wretch was conducted from the court to the condemned cell in the jail. Here her conduct became violent in the extreme. She swore to Mr. Wontner, the governor of the jail, that she would not be hanged, and became perfectly outrageous because she was not allowed to have a mutton-chop for her dinner. On Sunday, she had a last interview with her daughter; but it produced no effect upon her hardened mind, and she parted from her without a tear. She subsequently went into the yard; and it appearing to the turnkey that there was something suspicious in her behaviour, he sent some person after her, who found her bleeding from a wound she had inflicted in the front part of her neck with a knife, which, by some means, she had obtained unknown to the attendants. From this time her behaviour was so violent, that it was found absolutely necessary to apply the strait waistcoat to prevent her from tearing the bandages off the wound. She confessed, soon after her attempt at suicide, to Mr. Wontner, that it was not her intention to kill herself, but merely to wound herself severely; thinking, thereby, that she would be allowed to live a few days longer.

When this was ascertained, Mr. Cotton offered his spiritual advice and assistance to the wretched woman; but she refused them and said, "that she knew enough of the Bible herself, and wanted no interpreter." Mr. Cotton still persevered until a late hour, but all his efforts proved useless. She listened to him with the most imperturbable patience, and never gave expression to either assent or dissent.

A little before eight o'clock on Monday morning, the 13th of April, the wretched malefactor was led from the condemned cell to the press-room. She exhibited a dreadful appearance; her dress, a black gown, over which was a white bed-gown, and the white cap on her head, contributed, together with the sallowness of her complexion, to give her a most unearthly aspect. The sad procession then set forward, the miserable woman being carried by

Digitized by Google

two men, as she absolutely refused to walk. On her arrival at the scaffold, she was assailed with a loud volley of yells from the people, particularly from the females, of which the crowd was in a great measure composed.

Up to the last the culprit refused to receive any spiritual consolation, and no clergyman attended her on the scaffold. The executioner proceeded to perform the necessary duties, and a few minutes after eight the unfortunate woman was carried to

"That bourne from whence no traveller returns."

She did not make a single struggle, and appeared to die almost instantaneously.

Her body was cut down, after hanging the usual time, and was delivered to the surgeons for dissection.

Upon the same day on which this wretched being expiated her crimes upon the scaffold, her daughter and her assistant Robinson were tried for the minor offence of assaulting the miserable children entrusted to their care as apprentices; and having been found guilty, were sentenced respectively to twelve, and to four months' imprisonment in the House of Correction.

JONATHAN MARTIN.

TRIED FOR ARSON.

THE name of this wretched maniac will long be remembered from the circumstance of the object of his offence being that of burning down that venerable monument of antiquity—York Minster; an effort in which, happily, he only partially succeeded.

The fire was discovered in a most remarkable manner. On the evening of Sunday the 1st of February, 1829, one of the choristers, a lad named Swainbank, was passing through the Minster-yard, when, setting his foot on a piece of ice, he was thrown on his back, on the ground. Before he had time to rise, he perceived smoke proceeding from the building before him. He at once gave the alarm, and assistance was immediately procured; but it was not until the choir, with its magnificent organ and its beautiful roof, had been totally destroyed, that the flames could be conquered. At first this national catastrophe was supposed to have been the result of accident; but the discovery of one of the bell-pulls, knotted so as to form a species of ladder, suspended from one of the windows of the building, and of evidence of a light having been seen moving about in the belfry after all the officers of the Minster had retired, on the night of the fire, led to a conclusion that it was the work of an incendiary. This belief was on the following week strengthened by the apprehension of a person named Jonathan Martin, at Leeds, with some portion of the velvet from the reading-desk in his possession. He was examined before the magistrates, and at once confessed that he had set fire to the building in obedience to the will of the Lord communicated to him in two remarkable dreams. He was committed to York Castle for trial, and it turned out that he had been already twice in confinement as a madman, and that he had prophesied the destruction of the Minster.

On Monday, the 30th of March, he took his trial at the York assizes,

Digitized by Google

and was found by the jury to have been of unsound mind at the time of his committing the offence charged against him.

The following extracts from his defence at once showed that he was a religious enthusiast :—

When called upon for his defence, he proceeded to say, in a Northern dialect and with great energy—" Well, sir, the first impression that I had about it was from a dream. And after I had written five letters to these clergy, the last of which I believe was a very severe one, and all of which I dated from my lodgings at No. 90, Aldwick, I was very anxious to speak to them by word of mouth; but none of them would come near me. So I prayed to the Lord, and asked him what was to be done. And I dreamed that I saw a cloud come over the cathedral—and it rolled towards me at my lodgings; it awoke me out of my sleep, and I asked the Lord what it meant; and he told me it was to warn these clergymen of England, who were going to plays, and cards, and such like: and the Lord told me he had chosen me to warn them, and reminded me of the prophecies—that there should in the latter days be signs in the heavens. I felt so impressed with it, that I found the Lord had destined me to show those people the way to flee from the wrath to come. Then I bethought me that I could not do that job without being out all night, and I considered whether I should let my wife know. I got everything ready, and I took the ring from my wife's finger, and talked to her about what I have mentioned—and I told her what I meant to do: she grieved very much, and I had work to get off. I still staid a few days, but I could get no rest whatever until I had accomplished the work. It was a severe contest between flesh and blood—and then I bethought me what would come of her and my son Richard, who I had at Lincoln. Then the Lord said unto me, 'What thou does, do with all thy might.' I tore from her and said, 'Well, well, Lord—Not my will but thine be done.' I then left Leeds, taking twenty of my books with me; but I had no money, and went into Tadcaster; there I got a gill of ale. [He then proceeded to state the manner in which he travelled and supported himself to York.] On Sunday (February 1st) I went to the cathedral service, and it vexed me to hear them singing their prayers and amens. I knew it did not come from the heart, it was deceiving the people. Then there was the organ, buz! buz! and said I to mysen, I'll hae thee down to-night, thou shot buz no more! well, they were all going out, and I lay me down by't side of the Bishop's round by the pillar. [The prisoner concealed himself behind a tomb, between which and the wall there was a space that more than one person might lie down in.] I thought I heard the people coming down from the bells; they all went out, and then it was so dark that I could not see my hand. Well, I left this Bishop, and came out and fell upon my knees, and asked the Lord what I was to do first; and he said, Get thy way up the bell-loft; I had never been there, and I went round and round; I had a sort of guess of the place from hearing the men as I thought come down; I then struck a light with a flint and a razor that I had got, and some tinder that I had brought from my landlord's. I saw there were plenty of ropes—then I cut one, and then another; but I had no idea they were so long, and I kept draw, draw, and the rope came up. I dare say I had hundred feet. Well, thought I to myself, this will make a man-rope, a sort of skaling rope, and I tied knots in it. Ay, that's it, I know it well enough

Digitized by Google

(pointing to the rope which lay upon the table). So I went down to the body of the cathedral, and bethought me how I should get inside. I thought if I did so, by throwing the rope over the organ, I might set it *ganging*, and that would spoil the job. So I made an end of the rope fast, and went hand-over-hand over the gates, and got down on the other side, and fell on my knees and prayed to the Lord—and he told me, that do what I would, they would take me. Then I asked the Lord what I was to do with velvet, and he told me, and I thought it would do for my hairy jacket, that I have at Lincoln. I have a very good seal-skin one there. I wish I had it with me, that I might show it you. Then I got all ready. Glory to God, I never felt so happy; but I had a hard night's work of it, particularly with a hungered belly. Well, I got a bit of wax-candle, and I set fire to one heap, and with the matches I set fire to the other. I then tied up the things that the Lord had given me for my hire, in this very handkerchief that I have in my hand. [The prisoner then went on to describe his escape by means of the rope, nearly in the same terms as have been stated, and of his proceeding to Hexham; that on the road the coaches passed him, but he laid himself down, and was never seen.] While I was at Hexham (I think I had been there two days) I had been to pray with a poor woman, and the Hexham man came and tipped me on the shoulder." He concluded by saying, "I's tired, or I'd tell you more."

The unfortunate man was ordered to be detained during his Majesty's pleasure, and was afterwards conveyed to a lunatic asylum.

It appeared that this maniac was the brother of the painter, who, for his magnificent productions, has attained so much celebrity. Up to the time of this transaction, he had gained a precarious livelihood by hawking books; having been, however, as we have before stated, once or twice confined in a mad-house.

It is very remarkable that York Minster has repeatedly suffered from fire. Its origin may be dated from A.D. 626. In 741 it was dreadfully damaged by fire, and remained in that state till 767, when it was taken down, rebuilt, and completed, and was consecrated in 780. Thus it stood until 1069, when the Northumbrians, aided by the Danes, having besieged the city of York, the garrison set fire to several houses in the suburbs, which fire unfortunately extended further than they intended, and, amongst other buildings, burnt the Minster to the ground. In 1137, the same fire which burnt St. Mary's Abbey, St. Leonard's Hospital, thirty-nine churches in the city, and one in the suburbs, again destroyed the Minster; since which there had not been any damage done to it by fire, excepting two trifling occurrences, which have taken place through the neglect of the workmen, within the last sixty years, up to the time of Martin's mad attempt. In the present year (1840), it has again suffered severely from an accidental conflagration, which has destroyed nearly the whole of that portion of the ancient building which the former catastrophe had left standing.

Digitized by Google

JOHN STACEY, THE YOUNGER,

EXECUTED FOR MURDER; AND

JOHN STACEY, THE ELDER,

TRANSPORTED AS AN ACCESSORY AFTER THE FACT.

THE murder of which the former of these diabolical criminals was guilty very closely resembles that mention of which will be found in a preceding part of our calendar, of Mr. Bird and his housekeeper, which took place at Greenwich.

Mr. Langtrey, it appears, was a person nearly eighty years of age, and of great bodily infirmity, residing in a small house in Prospect-row, Portsmouth, to which he had retired, after he had amassed a considerable fortune in his business as a brickmaker. His only servant, and the only other inmate of the house, was a woman upwards of sixty years old, named Christian Joliffe, who acted as housekeeper, but who was assisted in procuring such comforts as the old man required, by a Mrs. Dyott, a neighbour, living at an adjoining cottage. Mr. Langtrey was so feeble as to be unable to quit his bed-room, which was situated on the first floor of his house, and he was attended there by Mrs. Joliffe. He was known to have saved a considerable sum of money, and he was reputed in the neighbourhood to keep a very large amount (in notes and gold) in the house. Amongst those who were observed to be particularly inquisitive into his affairs, was a young man named Stacey, about twenty-one years of age, an apprentice to a barber, living close by, who usually shaved Mr. Langtrey,—an office which his infirmity prevented his performing for himself.

On the morning of Monday the 2nd of March, 1829, the vicinity of the dwelling of the unfortunate old man, was thrown into a state of the utmost confusion and alarm, by the propagation of a report that he and his housekeeper had, in the course of the previous evening, been murdered in a most barbarous and cold-blooded manner. Inquiries were instantly set on foot by the authorities of the town, and it proved that the statement was true; the murders having been discovered by Mrs. Dyott, the assistant of Mrs. Joliffe in her attendance upon her master. Mrs. Dyott, it appeared, had repaired to Mr. Langtrey's house, in accordance with her usual custom, on the previous evening, at a little after six o'clock, to assist Mrs. Joliffe in preparing the old man's bed; but was unable to procure admittance, although she made a considerable noise at the door. Imagining, however, that the old people were asleep, she took little notice of the circumstance; but upon returning on the following morning, and finding the same silence prevail, and the same inattention to her application for admission, she became alarmed, and called in the aid of a neighbour. It was determined by the latter instantly to force open the back door, and upon his entering the house, he at once perceived the fearful crimes which had been committed. Upon the floor of the lower room lay the body of the aged housekeeper, frightfully mangled, and with the head nearly severed from the trunk; while around her lay the instruments by which some of the injuries had evidently been caused. A slater's hammer (smeared with

Digitized by Google

blood and brains), which was known to have belonged to Mr. Langtrey, was lying at her feet; and near her were portions of a broken broom-handle, which had been evidently employed in the desperate conflict which must have taken place between the old woman and her assailant. The scull of the deceased was found to have been completely smashed in, in several places; and around her were pools of blood, extending over a space of several feet. In the upper apartment a scene no less frightful presented itself. The old man, whose age nor infirmities could protect him from the assassin's blow, was found to have been murdered with equal barbarity. His body lay upon the floor, dressed in his usual attire, with his walking-stick by his side; but his scull had been frightfully fractured by repeated blows from the same deadly weapon with which his housekeeper had been assailed, and his blood and brains were scattered over the apartment to a considerable distance.

A further alarm was immediately raised upon this dreadful discovery being made, and the utmost consternation prevailed. Upon a minute examination of the house, it became evident that plunder had been the object of the assassin. The boxes and drawers had been rifled of their contents, which lay strewed about the rooms; and money, deeds, papers, and wearing apparel were scattered in indiscriminate confusion. The murderer had been apparently disturbed in his work of robbery, probably by Mrs. Dyott's knocking on the previous evening, and had left his work unfinished, but a bag containing 600*l.* was found to have been stolen.

The aid of the London police was immediately obtained with a view to the more speedy apprehension of the murderer, for it appeared as if one only had been engaged in the diabolical acts; but several days passed before any suspicion of a tangible nature could be said to attach to any one. Stacey, the barber's apprentice, during the week had pursued his ordinary avocations with his accustomed coolness; and, although the murder had been made the subject of conversation in his presence, had exhibited no agitation or feeling which could indicate that he viewed the circumstance in any but the most ordinary light. On the Friday, however, he complained of a sore hand, and claimed exemption from work; and on the Monday following, he became very free with his money. His wages as an apprentice amounted only to two shillings and sixpence per week; but on this day he was observed to quit Portsmouth in a hired chaise, with two women of the town, on a "lark" as he expressed himself. Some suspicion in consequence attached to him, which was strengthened by the discovery of a knife which corresponded in every particular with one which was known to have belonged to him, at a short distance from the scene of the murder, and in a direct line between that place and his father's residence, smeared with blood and hair. The instrument with which the throat of the unfortunate Mrs. Joliffe had been cut could nowhere be found in the house; and it was at once concluded that the weapon which had been discovered was that which had been used for that horrid purpose. Upon inquiry, it turned out that young Stacey had been absent from his master's house on the afternoon of the murder, with a fellow-apprentice named Connamore, the brother-in-law of his master, and had been at his father's house, in Charlotte-row, during a considerable portion of that evening. It was, in consequence, thought advisable that he should be at once apprehended; and the result proved the propriety of the adoption of

Digitized by Google

such a course. He was discovered by the constables at a house at Porchester, in company with the females who had quitted Portsmouth with him; and immediately on his perceiving that he was pursued, he became agitated, and exclaiming, "I am done!" endeavoured to conceal himself in a barn. He was soon discovered, however, and carried back to Portsmouth, where he was examined before the magistrates. The testimony of young Connamore proved to be most important. From his statement, it appeared that Stacey had told him that old Langtrey had desired him to purchase for him a tract called "The Book of Martyrs;" that Stacey having no money, had requested him to advance the necessary means for this purpose; and that he himself purchased the tract, and handed it over to his companion. On the Sunday, the 1st of March, Stacey and he went from their master's house to visit the father of the former, taking the tract with them, which Stacey expressed his intention to carry to the old man. They remained together during the greater part of the day, but at about twenty minutes before six in the evening, young Stacey went away, carrying the tract with him. It was nearly eight o'clock before he returned, and then on his knocking at the door, the witness let him in. He passed rapidly by him, and rushed up stairs, at the same time calling to his father that he wanted him. The latter directly followed him, and they remained in close conversation for a considerable time. Shortly afterwards, Mrs. Stacey, who was young Stacey's step-mother, joined them, and then Connamore heard something as if some clothes were thrown into a tub of water and washed. Immediately after this, old Stacey sent him off to a distant shop to purchase some bread and cheese, and on his return, he found his fellow-apprentice sitting by the fire, without his shirt, which his step-mother was drying by the fire, after it had been apparently washed, and which was subsequently ironed before he put it on. At about half-past nine o'clock, he returned home with young Stacey, and on their way the latter said that he had been fighting, and had got some blood about his clothes. The witness examined his coat, and found that a portion of it was so completely covered with blood as to require a knife to scrape it off. It further appeared that a copy of the tract, called "The Book of Martyrs," was found close by the bloody knife which had been discovered, and the additional testimony of a witness having been obtained of the prisoner having been seen getting over the railings of old Langtrey's house on the night of the murder, he was committed for trial. His father also, of whose knowledge of and acquiescence in the murder there could be no doubt, was also secured, and committed to take his trial on the minor charge of harbouring his son, at the same assizes.

In the interim the additional evidence of the identity of a glove which had been found in the house of Mr. Langtrey, and which had been left there by the murderer, was procured, from which it appeared that it was one of a pair which had been given to young Stacey by a gentleman, and both of which he wore on the day on which the murder was committed.

During his confinement, young Stacey exhibited little contrition; but after having been visited by his three sisters, he appeared to become sensible of the awful nature of his position, and confessed to a fellow-prisoner that he was guilty of the crimes imputed to him, and communicated the manner in which he had murdered the poor old people. He said, that he had presented himself at the door with the tract in his hand, and that

Digitized by Google

having gained admission to the house, he seized Mrs. Joliffe by the throat with an intention to strangle her, but that finding she resisted, he took the candlestick which she held in her hand from her, and beat her over the head with it until it was bent in all directions. She at length fell down, and then he seized the handle of a broom, with which he beat her, until she ceased to move, and he thought she was dead, the broom, however, being broken in the struggle. He then went up stairs to the old man, and seizing him by the collar, demanded his money. He made some resistance, and struck him with his stick; upon which he knocked him out of his chair; and taking up a tiling hammer, which he saw in the room, he killed him. Returning down stairs, he thought Mrs. Joliffe moved, and he struck her also repeated blows with the hammer, and at last took out his knife and cut her throat. Whilst engaged in this act, some one knocked at the door, and he became terribly alarmed; but he heard the person go away, and then he commenced his work of robbery. He was too hurried, however, to secure more than the bag containing 600*l.*; but before he took this, he cut the old man's throat, in order to be certain that he was not watching him.

On the same day on which this most fearful detail of his crimes was made by young Stacey, his father also made a confession, pointing out the place in which he had concealed the bag of money. The turf had been cut out, and the bag placed beneath it, in such a manner as to have rendered it exceedingly doubtful that it would ever have been discovered, but for its being pointed out. The whole of the money was recovered, with the exception of about 30*l.*, which had been spent by the younger prisoner in the purchase of a watch and seals, and some articles of clothing.

The trial of the prisoners came on before Mr. Justice Burrough, at Winchester, on Thursday the 30th of August, in the same year, when a verdict of guilty was returned upon the facts which we have detailed being proved in evidence.

The learned judge at once passed the sentence of death upon the younger prisoner, who was ordered to be executed on the following Monday, and his father was sentenced to be transported for life.

The day fixed for the execution being that upon which Magdalen Hill Fair was held, the concourse of people assembled was immense. The wretched criminal met his fate with sulky resolution, and declined the services of the chaplain, whom he had dismissed on the previous day. His parting from his father is related to have taken place without the smallest exhibition of regret or feeling on either side; and the miserable parent had so far overcome the ordinary sensations of paternal affection, as to request to be permitted to witness his son's execution,—a request which was granted; and of the accordance to which he took advantage. The miserable youth appeared to suffer bnt little after he was turned off. Upon the scaffold he declared that he was assisted in the murder by an associate of his, whom he named; but who, subsequently, distinctly proved his innocence.

The execution took place on Monday, the 2nd of September 1829, at Winchester, opposite the jail.

Digitized by Google

RICHARD GIFFORD.

EXECUTED FOR FORGERY.

In the termination of the career of this unhappy young man, the direful effects of dissipation are clearly evidenced. Having received an education in Christ's Hospital, and backed by interest calculated to procure for him advantages of a first-rate character, his weakness of mind led him step by step from a position of respectability through the various grades of dissipation, until it involved him in a system of crime, for which his life was taken away by the laws of his country.

Gifford's father was originally a butler in the family of Mr. Abbott, afterwards Speaker of the House of Commons, and finally Lord Colchester. His mother was also a servant in the same family. On Mr. Gifford's marriage, Mr. Abbott obtained for him a situation about the House of Commons; and when they had a family, care was evinced for the welfare and advancement of the children. Richard Gifford was the eldest son and child, and when he arrived at an age fit to be sent to school, admission into the admirable institution of Christ's Hospital was obtained for him. After quitting the Blue Coat School, he had some occasional and temporary occupation as a writer in the Parliament offices. Eventually, through Lord Colchester's influence, a situation was procured for him in the "National Debt Office;" and the death, advancement, or removal of those above him were most favourable to him, and he rose rapidly. For some time he gave satisfaction in his office; but, at last, the fatal peculiarities which ruined him—the love of drink, and low and abandoned company—broke out with undisguised violence, and he neglected both office and home. His inattention to business led to three or four several suspensions from his office; and it was only by the most powerful and influential intercession that his friends could have him restored: but, at length, his conduct was so outrageously bad, and his absences so long and continued, that he was finally dismissed. It was long before his friends could find him, and apprehensions began to be entertained whether he was still in existence; however, at last his mother (who was most tenderly attached to him) discovered his retreat. Having found him, she succeeded in getting him out of his infamous den, and in taking him home with her. On his part, contrition or concern about the past was not visible, and though the kindest efforts were made to keep him in the house, in the hope of estranging him from bad company and diverting him from infamous ways, to succeed his parents were obliged to keep him without hat or money, and almost without clothes. Eventually, it was supposed, or hoped, that he was somewhat changed, and that his disposition was a little mollified, which induced his mother, in particular, to take him out occasionally. He, however, finally absconded from his parents' roof, revengefully announcing, that "he would make them remember their conduct to him—he would do for them yet," and other such language. What became of him they knew not; at last, he was heard of as living in a respectable style, appearing well-dressed, at a house near the Waterloo-road. To account for the change, he gave it out that he was married, and that his wife had money. Almost the next thing heard of him was, his being

Digitized by Google

before the Lord Mayor, undergoing examination on charges of forgery on the Bank.

He was placed upon his trial at the Old Bailey sessions, in the month of October 1829, when he pleaded guilty to an indictment charging him with having personated William Green, of Crucifix-lane, brazier, and thereby having obtained 125*l.*, being the value of stock standing in his name in the Bank-books. On the 6th of March the prisoner applied to Mr. Linton, a stock-broker, in Shorter's-court, requesting him to sell out the stock standing in the name of William Green. The broker declined selling the stock, on the ground that he did not know the prisoner; upon which he replied, "Your father knows me well, and has frequently seen me at the National Debt Office." The broker's father was sent for, and on seeing the prisoner, said that he recollected him somewhere, but could not tell where. The broker was satisfied with this partial recognition, and made out the necessary documents for the transfer. The receipt for the transfer was signed by the prisoner in the name of Green, and on comparing it with one which had been previously given on the receipt of the dividend upon the same stock, the hand-writing was found to correspond.

He also pleaded guilty to an indictment charging him with having personated Richard Mann, and thereby obtained 27*l.*, being the dividend due on 300*l.* Consolidated Bank Annuities, of which Mann was the proprietor. A few days after the fraud on Mr. Green, the prisoner went to the Rotunda, in the Bank, and introducing himself to a broker as Mr. Mann, requested him to witness his receipt of the dividend. The broker asked for a reference, and the prisoner named Mr. Linton, who happening to be close by, was instantly appealed to, and at once recognised the prisoner as being the person who had imposed upon him in the name of Green. The prisoner refused to withdraw his plea of guilty, although advised by the judge to do so.

Upon this sentence of death was at once passed; and upon the recorder's report being made to his Majesty, the unhappy prisoner was ordered for execution.

Monday the 19th of October, was the day upon which the sentence was directed to be executed, and the convict upon being led out from his cell was totally unnerved, and glanced about him with a fearful and hurried look. He appeared deeply and bitterly to repent his crimes; and the wretched course of life he had adopted, in spite of the anxious solicitude of his parents.

He was executed with two other men, who had been convicted of housebreaking, in the twenty-sixth year of his age, on the 19th of October, 1829.

Digitized by Google

JAMES BELL.

TRANSPORTED FOR BURGLARY.

The great singularity of the offence, as well as of the apprehension of this fellow, induces us to lay their short particulars before our readers. The prisoner was of that class called "Resurrection men," and the crime of which he was convicted was committed by him and three of his associates in this horrible traffic.

Bell on the 17th December, 1829, was placed at the bar at the Maidstone Assizes before Mr. Baron Garrow, under a charge of burglariously breaking and entering the dwelling-house of Daniel Redday, at Deptford, and stealing therein a shirt, a worsted comforter, and the body of a black man whose name was unknown.—It appeared that Daniel Redday was a lodging-house keeper at Deptford; an unfortunate black man had come to lodge in his house shortly before the 20th of November, and on the 19th died suddenly. His body was laid out in a back room with the shirt on, and the comforter round his head, until a coroner's jury could sit on him. In the course of the night of the 20th the prosecutor was alarmed by a noise in the room of the dead man. Not choosing to examine into the cause from within, he went out of the house, and soon perceived a ladder placed up against the window of the room in which the corpse was deposited, and four men, of whom the prisoner was one, on the ladder. In his hurry to apprehend them he ran against the ladder, and the whole four, with the corpse, the comforter, and the shirt, came to the ground. Three of the four men made a successful retreat, but the prisoner was taken into custody.—The jury found him Guilty, and Mr. Baron Garrow, after having commented upon the heinous nature of his crime, aimed as it was at the best interests of society, sentenced him to be transported for life.

WILLIAM BANKS.

EXECUTED FOR BURGLARY.

We do not recollect that we have ever met with an instance of a burglary having been committed attended with greater violence or atrocity, than that for which this man underwent the punishment of death.

The Reverend William Warrington, it appears, was a gentleman of large property, residing at Grove Cottage, West Moulsey, in the vicinity of that well-known spot, Moulsey Hurst, Surrey; and on the night of Wednesday, 19th of November, 1828, his house was entered by four burglars, and a great quantity of valuable property carried off. Mr. Warrington's house adjoined that of Mr. Jeffs, a magistrate of the county, and a ladder, which had been accidentally left in the garden of the latter gentleman, was employed by the thieves in effecting an entrance to the house, which they had determined to rob. The circumstances attending the burglary are as follows:—

Between one and two o'clock on Wednesday morning, Mrs. Warrington was in her bed-chamber engaged in writing, and Mr. Warrington was in

Digitized by Google

the same room in bed, asleep, when the former was terrified by hearing some persons at the back part of the house attempting to force a window on the first floor, which opened to a staircase and to a passage leading to the bed-room. Before she had time to alarm her husband, the fastenings of the window were wrenched off, without breaking the glass, and as she opened her bed-room door, she beheld four men, who had entered at the window by means of the ladder before-mentioned, in the act of ascending the stairs and approaching her chamber. Her fears were so excessive, that she was struck speechless for a few seconds. When she recovered, she shrieked, and exclaimed, "Good God, we shall be murdered; there are thieves in the house." Her husband was awoke instantly by her cries, and he had just time to leap from his bed and proceed in his shirt to the mantelpiece, on which he constantly kept a loaded pistol, before the four villains entered the chamber. He seized the pistol, levelled it at one of the thieves, and fired, but without effect. The first man who entered the room, a dark, ferocious-looking fellow, however, in turn drew from under his coat a pistol, and presented it at Mr. Warrington. The villain pulled the trigger, but the powder did not ignite. He recocked it, and pulled it a second time, and it flashed in the pan. Mrs. Warrington fell upon her knees, and in the most earnest and affecting manner implored the villains not to murder her husband, but to take all the property without interruption. The thieves then produced some cords (which they had stolen from Mr. Jeffs' garden), and tied Mr. and Mrs. Warrington's hands and feet. Their hands they tied fast behind their backs, and cautioned them to be silent as they valued their lives. They left Mr. and Mrs. Warrington in their bed-room for a few minutes, and proceeded up stairs to the servants' sleeping apartments, and there they bound two female servants (the only persons in the house beside Mr. and Mrs. W.) with cords, in the same manner in which they had previously bound the others. After they had bound them, the four robbers carried them down stairs to a vault which was under the house, and fastened them in that cold place, with scarcely any covering. The villains then returned to Mr. Warrington's bed-room, searched his clothes, and broke open his desks and drawers, and, in truth, ransacked the house completely. They took cash to the amount of about 30*l.*, and jewels and plate of considerable value, with which they decamped. The servants had been confined for several hours in the vault, when one of them, after much exertion, released one of her hands from the cord, and forced her way through the door of the vault. After ascending the steps, she found another door fastened, and she had to break through that before she could assist her master and mistress, who were in the most deplorable state of agitation. She unloosed the cords which secured them, and having released her fellow-servant also, they alarmed Mr. Jeffs' family and the other neighbours. Mr. Warrington found that not only all his portable property of value was carried off, but that the villains had actually stolen a horse, value 80 guineas, from the stable, and had taken his phaeton from his chaise-house, and by these means had carried off their booty. Mr. Warrington sent information of the robbery to Mr. Cooke, constable of Kingston, who set off in pursuit of the robbers. He was able to trace the phaeton and horse and two of the robbers from the house of Mr. Warrington, by a very circuitous route, to Walton-bridge, and from thence through several by-roads to Knightsbridge.

Digitized by Google

The Burglars.

Digitized by Google

Digitized by Google

On the same day Mr. Warrington also gave information of the robbery at Bow-street, and Ellis, Ruthven, and Bishop, were directed to institute an investigation with a view to the apprehension of the thieves.

Upon the arrival of the officers at the house of Mr. Warrington various minute circumstances transpired, which induced a strong belief in their minds that the robbery had not been committed by experienced thieves; and that it had been "put up," or sanctioned by some person in the house. The clumsy manner in which the boxes and drawers had been opened seemed to point to the first impression, and the undoubted circumstance of six buck-shot having been withdrawn from Mr. Warrington's pistol which had been lying on the mantelpiece during several days, led to the latter conclusion. Suspicion seemed to attach to one of the female servants, who had been familiarly accosted by her name, "Fanny," by one of the robbers, and who had been the first to secure her escape from the cords by which she had been confined, and she was taken into custody. After a few days' imprisonment, however, the officers declared themselves unable to produce any positive evidence against her, and she was discharged.

From this time the most anxious exertions were made by the police-officers to secure the robbers. Every means in their power was tried; but although they succeeded in tracing them by witnesses to London, where Mr. Warrington's carriage and horse were found, they were unable to discover who were the persons by whom the burglary had been perpetrated.

In the month of July 1829, however, the long-pending mystery was solved. A man named Barnett, a Jew, had been convicted of a burglary in the house of Mr. Colebatch, in Thames-street, for which he had been sentenced to transportation for life; but anxious to save himself from the infliction of this punishment, he tendered information as to the parties who had composed "The Moulsey Gang," as they were now called, upon condition of his liberty being restored to him. The proposition was at once accepted, and he immediately impeached Banks, and four other men named John Smith, William Johnson, James Taylor, and William Potts, *alias* Emery. The officers instantly set about endeavouring to procure the apprehension of these persons, and Cragg, a resolute officer of Bow-street, was directed to proceed in search of Banks. This fellow was a notorious thief, and was suspected to have been concerned in many robberies which had recently been committed; but Cragg had heard that he had frequently declared his resolution not to be taken alive. The officer, however, was determined in his object, and attiring himself in the garb of a butcher, he proceeded in search of him. Many days elapsed before he could find him, but at length meeting with him, he rushed at him, and presenting a pistol at his head, called upon him to surrender himself a prisoner. Banks appeared astounded at this salutation and made no resistance, but exclaimed, "I am a dead man." On his person being searched, a loaded pistol was found in his pocket, and on his back was a coat, which was a part of the produce of a robbery in which he had been recently before concerned, in the house of Mr. Campion, at Waltham Cross.

The other prisoners were apprehended nearly at the same time; and Potts was proved to have pawned a pair of shoes which had also been stolen from Mr. Campion's. Upon their examination before the magistrates at Bow-street, Banks' participation in both burglaries was clearly

Digitized by Google

proved, and he was committed for trial. Both Mr. and Mrs. Warrington identified him as one of the persons who had entered their house, but pointed him out as having acted with some degree of humanity, strongly protesting against the exercise of any cruelty by his companions.

Banks alone was committed for trial upon the charge of burglary at Mr. Warrington's, the evidence against the other prisoners not being sufficiently conclusive to warrant their being indicted, and was found guilty, and sentenced to death at the succeeding Surrey assizes.

After his conviction, he professed himself to be perfectly willing to meet his fate, as he knew nothing of a state hereafter, declaring that all he cared about being hanged was for the pain it would cause him. He refused to receive any consolation from the chaplain, and was perfectly unmoved up to the time of his being pinioned.

He was hanged at Horsemonger-lane jail on the 11th of January, 1830.

ROBERT EMOND.

EXECUTED FOR MURDER.

THE crime which subjected this criminal to condign punishment was that of the murder of an aged widow and her daughter, to whom he was related by the ties of marriage.

Mr. Franks, at the time of the murders lately deceased, was gamekeeper to the late Lord Elcho; and when age, and consequently frailty, rendered him incompetent to the prompt discharge of his duties, his lordship made such arrangements as enabled his old and respected servant to subsist in an humble but comfortable independence. On the 26th of July, 1829, Mr. Franks was consigned to the grave, and he left the hapless subjects of this notice—a widow, nearly fifty, and a daughter of fifteen years of age—to lament his death.

On Sunday, the 25th of October, according to custom, they attended the Rev. Mr. Hogg's chapel, and, no doubt, they had very little suspicion that it was for the last time. The house in which they resided near Haddington was about one hundred yards from the village of Abbey, in East Lothian, and with the garden was enclosed by a wall above six feet in height. The village youth never once thought of stealing fruit from people so warmly beloved, and consequently the garden-door stood always open. On that night they were brutally murdered. His plans carefully matured, the murderer deliberately fastened the garden-door, so that the escape of the intended victims, and any attempts at resistance, were rendered exceedingly difficult. He then scaled the wall, and proceeded to the awful work of homicide. His first attempt to gain admittance was at a window in front of the house. He broke two panes of glass; but the inside shutters were too securely fastened to yield to his efforts. Baffled and disappointed, he had recourse to another window in the same room; and after breaking two panes of glass, and using great exertion, the keeper gave way, and the monster obtained admission. He passed deliberately through the room, through a sinuous passage, through the kitchen, and then burst into the bedroom of Mrs. Franks and her daughter. The unfortunate ladies had been alarmed by the noise the villain made in breaking into their sanctuary. The

Digitized by Google

mother had time to throw her gown over a petticoat; but the daughter, a stranger to the crimes of the world, and naturally possessing a more tranquil mind, and being more soundly asleep, had barely time to clothe herself with the gown she had on at church, ere she was in the grasp of her ruthless murderer. Dread, desperation, and the potent instinct of self-preservation naturally incited a resolute resistance; but the well-prepared and determined murderer prevailed. In the vain and delusive hope of escape the wretched mother fled from the appalling scene of death, and ran to the garden-door, expecting to reach the village; but there she was stopped by the cool and fiendish deliberation of her destroyer. Having despatched the daughter, he followed the mother, seized her at the garden-door, and with one of her own table-knives, ended her life, by nearly severing the head from her body. He then threw the bleeding corpse into a hogsty, which was only ten yards distant; and the marks of the ruffian's gory hands were observable on the entry-door. The bloody tragedy being finished, the scarcely less important consideration next came—that of plunder. He coolly locked the kitchen-door inside, turned out the contents of the drawers, and ransacked all the repositories; indeed, so minute and persevering was the search, that a considerable breadth of plaster was torn from the roof of a room in the attic story, where there had previously been a small aperture, in expectation, no doubt, that money was concealed in that unusual place. The rings were torn from the ears of Mrs. Franks; three gold rings, it is said, were taken from her finger, which were carried off, along with a silver watch. Having completed his unhallowed undertaking, and secured all the plunder that suited his purpose, the ruffian retired, as he had entered, by the window.

Neither on the Monday nor Tuesday following was Mrs. Franks or her daughter observed; but this excited no surprise, as it was concluded by those by whom they were missed, that they were absent on a friendly visit to the sister of the former at North Berwick. On Wednesday morning, a woman requested a young man to make his way over the garden-wall, and ascertain if a pig that belonged to Mrs. Franks had any provision. He promptly obeyed; and on looking into the hogsty, was horrified by the sight of the widow's mangled remains. He gave an involuntary but vehement scream, and his employer, Mr. Dudgeon, a miller, and a number more, promptly repaired to the spot. The body was taken out, and, to their inexpressible horror, they discovered that the throat was cut from ear to ear. Alarming suspicions flashed across their minds; they instantly ran to the house, and having obtained an entrance, they discovered the daughter—pale, dead, lying amidst a quantity of blood, and the brain protruding from her skull.

Suspicions of the guilt of Emond from circumstances which became known to the authorities were at once excited; and efforts were made to secure his apprehension. He had resided for some time at North Berwick, and was married to that very sister of Mrs. Franks, whom it was supposed she had gone to visit; and repeated expressions of dislike on his part towards his sister-in-law, and of threatened revenge for her interference in his family quarrels, were deemed sufficient to justify the course which was taken. In the course of a few days he was apprehended; but it was not until the 8th of February 1830 that he was brought to trial. The investigation took place before the High Court of Justiciary at Edin-

Digitized by Google

burgh, and the wretched criminal was pronounced guilty amidst a tumultuous burst of execration, and was ordered for execution on the 17th of March.

Immediately after his trial the convict confessed that he had committed the dreadful crimes imputed to him, under the circumstances which we have narrated. He appeared, however, to view his murder of Mrs. Franks as an act which her previous conduct towards him justified; but when he alluded to the death of her daughter, he appeared struck with remorse and despair, exclaiming wildly, "Innocent blood calls for vengeance."

On the appointed day the prisoner underwent the punishment due to his crimes, at the end of Libberton's Wynd. On the Friday before his death he was visited by his wife, for the first time during his imprisonment. On being informed she was come, he exclaimed, "Oh, God, how can I meet her—how can I see her!" She refused to proceed farther than the cell door, and on seeing her husband, said, "Oh, Robert, Robert, you see what you have brought yourself to!" He used some soothing expressions, and going as far as his chains would permit, said, "Mary, will you not shake hands with me?" but she shrunk back, saying, "Oh, no, no; how can I touch you?" However, by the persuasion of the clergyman, she did shake hands with him. He then wished to impress on her, that he always loved her affectionately; but she replied, "Oh, Robert, ye ken your conduct didna look like that." They were beginning to recriminate, when it was thought best to finish the interview. She was again asked to shake hands at parting, but at first refused, exclaiming, "Oh, no, no—I cannot touch him;" but being advised to extend her hand, which he held firmly, she shuddered and shrieked out, "Oh that hand, that hand!" On being told that a Mrs. Cron was with his wife, he said, "I would to God that infernal woman had been in place of the girl (meaning Magdalene Franks). Were I as free as ever, I would be hanged this night, this instant, if I had her here, and had my revenge." The criminal accused this woman of fomenting differences between him and his wife.

At six o'clock in the morning of the day fixed for the execution, the Rev. Mr. Porteous, who had been unwearied in his attentions to the unhappy man, arrived and performed the religious exercises. About seven o'clock, he was pinioned in the usual form.

The morning was cloudy and drizzling; but at an early hour the crowd began to collect from all quarters, and a perfect stream of people passed up the High-street for nearly two hours. The street, windows, terraces, and chimney-tops, were densely peopled. Some hundreds of persons from Haddington, North Berwick, and the adjacent villages attended.

A few minutes past eight the culprit ascended the scaffold. His appearance elicited a huzza from the boys among the crowd, but no grown-up person joined in the unseemly and appalling shout. He was attended by his brother, who joined him with the reverend gentleman, in psalm-singing and prayer. The unhappy man remained firm and composed throughout, but changed colour frequently when the executioner proceeded to do his duty. He then shook hands with his brother, and the official attendants said he was now ready, and bade them all farewell. After a few moments in private prayer, the signal was dropped, and the platform instantly fell. His struggles were unusually long and violent, and it was apparently four

Digitized by Google

or five minutes before the vital spark had fled. Emond was a man of short stature, with ill-proportioned features, and had, on the whole, a very unprepossessing look. After hanging the usual time, the body was lowered down into the shell, and conveyed to the Lock-up House, whence it was afterwards taken to the College for public dissection.

CAPTAIN WILLIAM MOIR.

EXECUTED FOR MURDER.

This unhappy gentleman was a native of Forfarshire, in Scotland, where he was born of a family of the highest respectability, in the year 1794. At the age of nineteen he entered the British army; and during a period of seventeen years served with great credit in the fourteenth, thirty-seventh, and fortieth regiments of foot, in France, Spain, and America. In the course of his sojourn in the latter country, (in the year 1816,) he was united to a young lady of exceedingly amiable disposition, who at that time had only reached her fourteenth year; and upon his return to England, he resided with his wife in the vicinity of London. Here he became acquainted with many families of high standing in society; but tired of an idle life, he determined to devote his time to the occupation of farming, and at Michaelmas 1829 he entered on the possession of Shell-haven Farm, consisting of about four hundred acres of land, and situated near Stanford-le-Hope, in the vicinity of Barking, in Essex. At this time he had three children, respectively of the ages of twelve, ten, and seven years, and there appeared every prospect of a continuance of that happiness which he had so long enjoyed with his family, when by an act, attributable rather to passion or insanity than to preconceived deliberation, he subjected himself to the infliction of the severest penalty of the law.

It would appear that Captain Moir was in the habit of pursuing a strict line of discipline with regard to trespassers upon his farm, and was considerably annoyed by the constant appearance of fishermen upon his lands, who resorted thither for the purpose of dragging a portion of the river which passed through them, and which was supposed to contain an abundance of fish of a superior quality and size.

On Wednesday, the 24th of March, 1830, a poor man named Malcolm, residing at Hammersmith, quitted home, in a boat, accompanied by his apprentice, and a brother fisherman, named Duke, for the purpose of fishing. They proceeded to Shell-haven Creek, where Malcolm threw out his nets. In a short time Captain Moir made his appearance, armed with a knife, and accompanied by a servant named Raven, and ordered the nets to be removed. Malcolm offered some observations of abuse towards him, and reluctantly retired; but he was proceeding across Captain Moir's meadows, intending to go to the house of a man named Baker, when he was called back, and ordered to go round by the sea-wall. He directed some further abuse towards the captain, and took off his jacket, as if to fight him, but at length he went away. Captain Moir then returned to his house, and Malcolm and his assistants went to Baker's cottage; but they had not been there more than an hour and a half, when they went back to the Creek, where Malcolm's boat was lying. At this time Mal-

Digitized by Google

colm had a boat-hook over his shoulder, to which was suspended a basket of potatoes, which he had obtained from Davis, and the party was again crossing Captain Moir's premises, Malcolm being about seven yards in advance, when the captain and his servant were seen riding furiously towards them. The former exclaimed that he thought he had ordered them not to trespass upon his lands; and Malcolm answered that he would go, or that he might go and be d—d, the precise observation not having been distinctly heard; and then Captain Moir suddenly presenting a pistol, discharged it at him. Malcolm exclaimed, that his arm was broken, and dropped his boat-hook; and the captain threatened his companions, to serve them in the same manner, if they did not instantly retire.

Malcolm was soon afterwards carried back to Davis' cottage, where he was attended by Mr. Dodd, a surgeon, at the direction of Captain Moir, and was found to be in a position of so great danger as to render his immediate removal necessary. The poor man was subsequently attacked with lock-jaw, and died after the lapse of two or three days. A conversation took place between Captain Moir and Mr. Dodd upon the subject, upon the day of the occurrence, when the former justified his conduct, declared that his land was his castle, and that he would do the same again on the next day, under similar circumstances.

A coroner's inquest having been held upon the body of the deceased fisherman, a verdict of Wilful Murder was returned, and Captain Moir was committed to Chelmsford jail, to take his trial at the ensuing assizes.

The case came on for investigation at Chelmsford before Lord Tenterden, on Friday the 30th July, when every exertion was used on behalf of the accused, but to no purpose, and a verdict of Guilty was returned upon the capital charge. The prisoner urged the absence of all malice on his part towards the deceased, and alleged that he had been compelled to retain loaded pistols constantly in his house, in consequence of the desperate characters by which his neighbourhood was surrounded. All, however, was of no avail, and sentence of death was passed in the usual terms.

After his conviction, a strong and urgent appeal was made on his behalf to the government, founded upon the suggestion that there was little doubt that the act on the part of the unhappy man had been dictated by insanity. It was declared, however, that it was too late to hope for mercy upon any such grounds, which ought to have been made the subject of inquiry at the trial, where, had they proved well founded, they would have relieved the prisoner from all criminal responsibility. To this answer the obstinacy of the unfortunate gentleman, who refused to offer any extenuating circumstances in his own favour to the jury, which should subject him to perpetual imprisonment, was replied, but all was of no avail, and the sentence of the law was directed to take its course.

In the mean time, the wretched prisoner, unconscious of the measures which were taken by his friends with a view to secure his safety, diligently applied himself to the only duty remaining for him to perform on earth,—that of making his peace with the Almighty. He attended divine service in the chapel of the jail on Sunday, and was afterwards visited by his wife, then only twenty-eight years of age, his mother, his sister, and some friends, of whom he took a most affectionate farewell. At about seven o'clock on Monday morning he received the sacrament, and expressed

Digitized by Google

himself perfectly resigned to his fate, declaring at the same moment, that he had not the smallest degree of animosity against the ill-fated man whose death he had caused, and whom he had had no intention to kill. Throughout the dreadful concluding scene of his life, he conducted himself in the calmest manner. He ascended the scaffold, declaring that he was at peace with all mankind, and repeatedly denied that he had had any feeling of unkindness towards Malcolm. At nine o'clock, the fatal bolt was drawn, and the ill-fated gentleman died instantaneously. His body was subsequently delivered over to the surgeons for dissection; but after such an anatomical process as was sufficient to fulfil the terms of the sentence, it was humanely sent to his disconsolate widow for interment.

Captain Moir at the time of his execution, which it will be seen took place on the 2nd of August, 1830, was only thirty-six years of age. He was a remarkably fine man, and stood upwards of six feet in height. He was brother-in-law to Sir James G. Baird (a near relative to the gallant Sir David Baird), and was first-cousin to Sir William Rae, at the time of his execution the Lord Advocate for Scotland. He was descended on his grandmother's side from the heroic Bruce, and was also connected with the distinguished families of Blair of Blair, the Stewarts, and the Butes.

The unfortunate man who was the victim of his crime was of the same age with himself, and left a wife and six children. He had long been known upon the Essex coast as a fisherman, and had frequented the spot for several years where he unfortunately met his death.

JOHN SMITH, *alias* WILLIAM SAPWELL.

EXECUTED FOR THE MURDER OF A POLICEMAN.

THE cold-blooded and atrocious murder of which this man was convicted, showed him to merit most fully the awful punishment which befel him.

The object of the dreadful crime of which he was guilty, was a constable of the G division of the Metropolitan Police Force, then only recently established in London and its vicinity; and in laying before our readers the circumstances of this case, it will not perhaps be considered out of place if we shortly recite the manner in which that most admirable body was first called into existence and operation.

The necessity of some improvement in the police of the metropolis had long been felt; and the utter inadequacy of the few Bow-street patrol hitherto employed to guard the streets of London by day, and of the watchmen, upon whom the same duty devolved by night, had for a considerable time attracted the attention of the public and of parliament. Committees of the House of Commons sat for the purpose of receiving evidence upon the subject, and a vast number of suggestions were thrown out upon the subject of the proper measures which should be taken with a view to obviate the existing difficulty. Statements were published in many of the newspapers, in which the faults of the system were pointed out, and partial remedies suggested; but it was universally felt that no amendment of the plan then in operation could be sufficient to secure the object in view, and that a general and complete alteration and re-organisation of the whole

Digitized by Google

police of the metropolis was requisite. A plan of this description was long and ably advocated in a weekly journal of large sale (Bell's Life in London), the Editor of which had turned a great portion of his attention to a subject so nearly connected with the most minute interests of the community. A series of articles appeared in that newspaper, upon which there can be no doubt that the new police system, now so deservedly popular for its competency and for its admirable effects in securing our common safety, was founded. Mr. Peel, at that time Secretary of State for the Home Department, in the session of parliament of the year 1829, introduced a bill to the House of Commons, founded upon principles directly in consonance with those supported in the journal in question—principles which were eventually adopted with the almost unanimous consent of the legislature. The general scheme which was put forth as being most desirable to be carried into effect, was that of making a police throughout England, the centre and focus of which was to be fixed in London, while the great towns throughout the kingdom would act as corresponding agents for the diffusion of that intelligence, the rapid and regular transmission of which was properly looked upon as so important to the success of any system of this description. In London, again, a smaller focus was to be formed under a board of commissioners, who would have daily communication with every division of the metropolis in which the police should be established, as well as with those country districts to which we have already alluded.

The minor details of the measure were to be carried out by the marking out of divisions, to be governed by superintendants, inspectors, serjeants, and privates in their various grades, constant communication being kept up throughout the metropolis, by day as well as by night, between each division. The advantages to be derived from a scheme so comprehensive in its details, and so complete in its organisation, must be at once obvious to the mind of every person; and it is needless to point out to our readers the vast variety of instances in which its effects would be attended with the very best results. It was felt, however, by Mr. Peel, that so large and general a measure could not be carried into operation with immediate success, and that much delay must take place before a universal scheme of rural police could effectually be established. He was yet convinced of the great utility which would be produced, even from its partial adoption; and he lost no time in proposing a bill in parliament, which should have for its object the immediate appointment of a body of men capable of performing all the police duties of the metropolis. The proposition was at once assented to by both houses of the legislature; and on Tuesday the 29th September, 1829, the "new policemen" first entered upon their duties. Their dress, their supposed military character, and the extreme jealousy with which all classes of Englishmen view anything which may be supposed to derogate from their rights and privileges, long conspired to make this most useful force in the highest degree unpopular. Epithets of the most odious character were heaped upon them, attacks both abusive and violent were levelled at them from all quarters, and a few instances of irregularity amongst their numbers were eagerly seized hold of, as arguments to be employed against the general body; but at length the increased safety obtained for the community, the quiet and orderly manner of the men themselves, as well as the improvement in the general conduct of the lower

Digitized by Google

classes, obtained for them a reputation of the very highest description, which those who were originally the most strongly opposed to their introduction now seek, by their most strenuous exertions, to raise. The system which, first, was confined to the limits of the metropolis, has been joyfully extended to all large towns, and to manufacturing neighbourhoods; and so anxious have even the most remote rural districts become for this new safeguard for their property and their lives, that almost every month sees the adoption of the plan in some new quarter. The improvement of the morals of the lower orders is no less than that which has taken place in their manners; and many of the crimes by which society was formerly so frequently disgraced, have, through their activity, now happily disappeared from the dreadful catalogue which the life of degraded man presents.

The offence of which we are about to enter into a description, there can be no doubt was in some degree attributable to that feeling of hatred for the police which was so peculiarly exemplified among the lower orders of the people. Long, the unfortunate object of the attack of this determined murderer, was a police-constable, No. 43, of the G division, and occupied a beat in Gray's-inn lane. On the night of Monday the 16th of August, 1830, he was engaged in the performance of his duty when, at about half-past twelve o'clock, he observed three men of suspicious appearance lurking about the vicinity. Entertaining an apprehension of their intention to commit a burglary, he communicated his opinions to a brother constable on the adjoining beat; and it was determined that the men should be watched. They remained within Long's district of duty; and he followed them as far as the burial-ground of St. Andrew's parish, which is situated at the back of Mecklenburgh-square. Here they stopped and remained in conversation for some time, and Long, believing this to be a favourable opportunity for convincing them of his intention to prevent the success of any marauding schemes which they might have in view, warned them to retire. The words had scarcely escaped the lips of the unfortunate man, ere he was violently seized by the arm by two of the party, while the third stabbed him to the heart. So desperate was the wound, that the murderer was unable to withdraw the weapon with which it was inflicted; but in his effort to do so, he pulled away the handle, and then all three ran off. This diabolical act was witnessed by more than one person, and several individuals instantly rushed to the spot. Long had fallen to the ground, with an exclamation that he was "a dead man;" and upon his head being raised upon the knee of one of the witnesses, he immediately expired. Newton, the constable to whom the unfortunate man had communicated his suspicions, in the mean time had followed the assassins, and Smith was secured by him, having run a considerable distance, and being in a state of the greatest agitation and alarm. Two other persons were also taken into custody; but it turned out that they were unconnected with the dreadful occurrence, and were again set at liberty. The truth of the suspicions of the constable was amply exhibited by the discovery of a number of housebreaking implements near the spot, which it was evident the thieves had intended to employ, but had thrown away in their flight. The handle of the knife was also discovered lying in the road at about one hundred yards from the spot where the murder was committed.

Digitized by Google

Several examinations of the prisoner subsequently took place before the magistrates at Hatton-garden, and witnesses were called, who swore positively that his was the hand by which the wound was given which had caused the death of the deceased. During his imprisonment, he continued firm in his denial of his participation in the murder, and maintained a sullen silence as to his occupation in life, as well as his connexions. He appeared to associate with none of his fellow-prisoners, except Sheen, the murderer of his child, to whose case we have already alluded, and who was again in confinement on a charge of felony; with whom he was observed to hold frequent and earnest conversations, the result of which did not transpire.

His trial took place at the Old Bailey sessions, on Friday the 17th of September, when it turned out that his name was Sapwell, and that he was a baker by trade. He still protested his innocence; but the evidence of the witnesses being of the most conclusive description, a verdict of guilty was returned, and he was sentenced to be executed on the following Monday.

On the day after his conviction he was visited by his wife and his six children, to whom, as well as to the officers of the jail, he continued loud in his declarations of his having been wrongfully convicted. He asserted that he had been to the Bedford Tea-gardens, at Camden Town, on the night of the murder, and that on his way home he heard a cry of "Stop thief," and had joined in the pursuit of four men whom he saw running away, when he was himself taken into custody. He was exhorted by the Rev. Mr. Cotton, the ordinary of the prison, to whose humane advice he paid some attention; but he declined to receive the sacrament. In the course of the following day (Sunday) he also received a visit from the Sheriff (Ward), to whom he made no secret of his having intended to commit suicide, if an opportunity had occurred, and with whom he argued against the sinfulness of such a mode of terminating his life. He instanced the cases of Sir Samuel Romilly, Mr. Whitbread, and other distinguished individuals, who he said were perfectly justified in depriving themselves of existence when it became irksome to them.

On the morning of his execution (the 20th of September, 1830,) he entered freely into conversation with Sheriff Ward, and with new asseverations that he was not guilty of the crime for which he was about to suffer, declared, in an imaginary dialogue with the Almighty, that on his arrival at the gates of heaven, he should be unable to account for his standing there, and that the Almighty would give him admission; protesting, however, that he ought not to have been sent there so soon. He appeared sensible of his situation, and requested that the proceedings on the scaffold might occupy as little time as possible. He was turned off at the usual hour, and his remains were given to the directors of St. George's Hospital for dissection.

The wretched man occupied the greater part of Saturday and Sunday, previous to his death, in drawing up statements of the manner in which he was by mistake drawn into the situation in which he stood, which amounted simply to a repetition of the story he had related to his family. He appears to have been very illiterate, his letters being both ill-spelt and ill-written, and he expressed none of those fears usually exhibited by persons in his situation.

Digitized by Google

Digitized by Google

Digitized by Google

Long, the constable, appears to have been a man of excellent character, having for a considerable time occupied a situation as watchman before he entered the police. He left a wife and several children, for whom a liberal public subscription was afterwards raised.

AGRICULTURAL RIOTS.

THE agricultural riots which occurred at the close of the year 1830 will long be remembered in the southern districts of England, to which they were confined. The revolutionary disturbances which, during the year, had marked the progress of events on the Continent, were not without their effect upon the agricultural, as well as the manufacturing population of Great Britain; and interested demagogues were easily to be found, willing and ready to fan the feeling of dissatisfaction which prevailed among the labouring classes, and to produce discontent where none already existed, with a view to the excitement of dislike for the higher ranks of society, and of insurrection against the government of the day. The poverty of the lower orders had done much to produce that hatred to property which induced these riots, and the inattention to their wants was urged by them as a sufficient justification for the mistaken and guilty course which they adopted.

The outrages, which commenced in the county of Kent, where undoubtedly the agricultural labourers were in a state of the very greatest misery, soon extended themselves through the whole of the southern counties of England, and the progressive march of incendiarism was as much feared as that of an invading army. Bodies of men proceeded through the whole line of country which we have pointed out, making converts to their atrocious principles, and their track was testified by the devastating effects which were produced. Stacks of grain and farm buildings were everywhere burned and consumed; and so determined were the monsters in the work of destruction, that none dared to oppose them, or to raise their hands to stop the dreadful deeds which every hour brought to light. Day after day bodies of men were seen passing from farm to farm, breaking all the machinery on the premises, the employment of which they looked upon as the cause of all their distress; and night after night, the secret incendiary plied his dreadful occupation, with a success which promised to produce the most dreadful desolation.

The limited exhibition of the ordinary constabulary force had no effect in checking the progress of these riots, and it was not until the yeomanry and finally the military were called out, that the fearful proceedings of the enraged mob were stopped. Meanwhile through Kent, Sussex, Surrey, Middlesex, Suffolk, Berkshire, Buckinghamshire, Wiltshire, Hampshire, Somersetshire, Dorsetshire, Devonshire, and Cornwall, had the work of destruction proceeded; and where the general body had not shown itself, local discontent had been sufficient to change the character of the simple labourer to that of the midnight incendiary. Notice was usually given of the intention to fire in threatening letters, signed "Swing," and the determination expressed seldom failed of being carried out.

In the course of several months, during which these outrages continued,

Digitized by Google

many rioters were apprehended and lodged in jail, and the eventual firm proceedings of the magistrates did much to check the mischievous progress of wilful devastation. In many instances, small villages gave up their peaceful character, and assumed the appearance of military encampments, so long as the fear of danger remained in their vicinity, and not unfrequently the alehouse or the justice's mansion was converted into a temporary lodging for the prisoners. The first convictions which took place for these atrocious acts of violence were at the quarter sessions for the county of Kent, held at Canterbury on the 24th November, when many prisoners were tried and convicted upon charges of machine-breaking and riot. For the former offence a man named Reid, who had previously suffered imprisonment for lead-stealing, was sentenced to transportation for life; while John Stannard, William Siddars, William Stone, Thomas Strood, Henry Andrews, and Henry Halke were sentenced to seven years' banishment from the scene of their offences. Other prisoners, who were convicted only of assault and riot, were ordered to be imprisoned for terms varying from six months to two years; and the discovery by the labourers thus of the responsibility to which they subjected themselves did much towards quelling the disturbances, which even yet had not ceased.

Proclamations were subsequently issued offering rewards for the apprehension of all offenders, and before the conclusion of the year a vast number of prisoners had been taken into custody.

At the succeeding assizes these persons were brought to trial, and in Wiltshire, Hampshire, Buckinghamshire, and other counties, where the disturbances had assumed the most serious character, the prisoners were tried under a special commission.

Our space prevents our going into the particulars of one tithe of the cases which were tried, or even of those where the malefactors were ordered for execution. Of the latter the number was small as compared with the whole amount in custody, but many of their cases were attended with circumstances of great atrocity. At the assizes at Maidstone, Lewes, and other places on the circuits within the jurisdiction of which these occurrences had taken place, a great number of prisoners were convicted and sentenced to death. Many of the wretched men ascribed their guilt to their having paid attention to the lectures or the writings of Mr. Cobbett; and it is a remarkable fact that few of these rioters stated that they had been driven to the commission of crime by their poverty.

At the Hampshire special commission, held at Winchester, the offences which were brought under the consideration of the learned judges who presided, were those of machine-breaking, arson, extorting money by threats with intent to procure an increase of wages,—and near 300 prisoners were found guilty. On Thursday, the 30th December, 1830, Mr. Baron Vaughan, as the senior judge, proceeded to pass sentence on those who had been convicted. In the dock there were twenty prisoners, in rows of five each; and the other prisoners were so disposed in the jury-box and elsewhere as to hear all that passed.

The judges having put on their black caps, James Thomas Cooper, Henry Elridge, and John Gilmour, were called to the bar. The first two were found guilty of destroying the machinery employed in the manufactory of hemp and flax, the property of Messrs. Thompson, at Earl Mill,

Digitized by Google

in the parish of Fordingbridge; and the latter for destroying the machinery employed in the foundry of Messrs. Robert and William Tasker, in the parish of Upper Clatford; to which the law affixed the punishment of death. Cooper had been particularly active as the captain or leader of the rioters, and was mounted on a horse giving the word of command. He was called Captain Hunt.

Mr. Baron Vaughan addressed these men with great eloquence, and in the most feeling manner, on the enormity of their offences and the necessity in their persons of making a severe example with the view of deterring others from the commission of similar offences hereafter. Having pointed out the aggravated character of the conduct of the prisoners, he forewarned them that their fate was fixed, and there remained for them no hope of mercy on this side the grave. His lordship then passed the awful sentence of death.

Cooper and Elridge were deeply affected—the latter nearly fainted; but Gilmour behaved with the most stoical apathy.

Robert Holdaway, James Annalls, and Henry Cooke were then placed at the bar. They had been convicted—Holdaway of demolishing, with others, the poor-house belonging to the parishes of Headly, Bramshot, and Kingley.—James Annalls, of robbery from the person of William Courtnay, of Barton Stacey; and Henry Cooke, of robbery from the person of Thomas Dowden. These were all cases of peculiar aggravation, and as in the case of the three previous convicts, the prisoners were told to prepare for death, from which no hope of reprieve was to be entertained. In alluding to the crimes of these men, Mr. Baron Vaughan made the following important remarks:—"I believe that there are a little short of a hundred persons whose lives are now forfeited to the state for their participation in the guilt of these transactions. It is my firm and decided conviction, that many persons engaged in them under a delusion, and instigated by the practices of artful and evil-designing men. I state publicly, that in the course of these trials we have found few instances—and I am not certain that I could lay my finger upon one—in which the pinching spur of necessity has compelled the offenders to the commission of their offence. They are, in general, persons of a different character and description. We find among them carpenters, blacksmiths, sawyers, and others, whose wages are admitted to be adequate to their wants, and who yet take an active part in perpetrating these outrages. Not only persons in the handicraft trades which I have just mentioned, but occupiers of land, gardeners, and others who labour under no necessity and suffer no want, have been found strenuously engaged in stimulating those who were in more want than themselves to the commission of those crimes. I am happy, however, to observe, that there are but few, if there are any, instances in which downright want has proved the cause of the commission of offence."

Many other prisoners were also sentenced to death with an understanding that the extreme punishment would not be inflicted, but that they would be transported for life; and the remainder were ordered to undergo various terms of transportation and imprisonment.

The trials of the persons charged with committing outrages in the county of Berks commenced on Tuesday, 28th December, at Reading. The prisoners who were first placed at the bar were W. Oakley, W. Smith,

Digitized by Google

alias Winterburne, D. Bates, and Edmund Steele. They were charged with robbing J. Willis, Esq. of five sovereigns. It appeared that on the 22nd of November, two large mobs assembled in the neighbourhood of Hungerford and Kintbury, and after demolishing the windows of several houses, proceeded to the Town-hall of Hungerford. A deputation from each mob, of which the prisoners were the leading characters, was then admitted into the magistrates' room. They demanded twelve shillings per week wages, the destruction of machines, and a reduction of house-rent. Oakley, in a violent manner, demanded 5*l.*; and Bates, who had a sledge-hammer in his hand, flourished it, and struck it on the ground, saying, with an oath, "We will have the 5*l.* or blood." Others cried out, "We will have blood for blood." The mob, which was about 400 in number, also became exceedingly clamorous, and the magistrates then gave them 5*l.* —The jury found all the prisoners Guilty.

D. Hawkins, W. Chitter, J. Pullen, W. Haynes, D. Yarlick, G. Rosier, J. Field, J. Cope, C. Smith, J. Dobson, W. Oakley, W. Winterborne, J. Watts, T. May, J. Tuck, E. Steel, and D. Bates, were then tried for rioting and destroying machinery belonging to Richard Gibbons, at Hungerford. On the 22nd November, a mob, consisting of about 400 persons, went to Mr. Gibbons' manufactory; they had sledge-hammers, bludgeons, hand-hammers, sticks, &c. They rushed into the factory and broke the machinery, which was worth about 260*l.*—The jury found all the prisoners Guilty, except Haynes and Smith.

The trials were continued up to the succeeding Tuesday, and a great number of men were convicted of offences of a similar character, marked by different degrees of aggravation; the greater part of whom were sentenced to transportation for seven years.

On the latter day, however, the commission was brought to a close, and Oakley, Winterburne, and a man named Darling, were left for execution; but the sentence was carried out only in the case of Winterburne.

At Salisbury, the commission was opened on Friday, 31st December; and its proceedings did not terminate until Monday, 10th January. On that day such of the prisoners as had not received sentence at the time of the conclusion of their trials were brought up. Peter Withers and James Lush were severally sentenced to death, amidst a most distressing and heart-rending scene in the court. Lush appeared to be dreadfully sensible of his situation, and during the whole period occupied by the address of the learned judge, lay on the bar in a state of dreadful anguish, crying with the most piteous groans for mercy.

It would be useless to follow the course of these dreadful proceedings through the country, or to attempt adequately to describe the scenes of misery and wretchedness produced to the families of the misguided men, who were in custody by their dreadful acts. At Dorchester, Exeter, and the other assize-towns in the west of England, scenes such as we have alluded to occurred, and in almost every place some miserable wretches were left to expiate their offences upon the scaffold, while others were doomed to suffer transportation from the scene of their former happiness and of their crimes.

Notwithstanding these events, however, it was long before the country assumed that position of peace and quietude for which its agricultural districts had always been remarkable.

Digitized by Google

On the 17th August, 1836, it was announced in the House of Commons by Lord John Russell, that of 246 persons sentenced to be transported for their participation in the offences of this period, all but ten, who were suffering punishment for crimes committed in the colonies, had been pardoned.

JOHN ST. JOHN LONG.

CONVICTED OF MANSLAUGHTER.

THE extraordinary investigation touching the offence of which Mr. Long was guilty attracted to him more than ordinary public attention. The manslaughter of which he was convicted was the effect of a system of treatment which he adopted towards a young lady named Cashin, who had been placed under his medical care by her mother. But without offering any comments, either upon the death of the young lady or its cause, we shall proceed at once to detail the circumstances which were proved at the various inquiries which took place upon the subject.

It appears that about the month of August 1830, a lady named Cashin, of great respectability and considerable fortune, with her two daughters, came to London from Dublin, where they resided, for the purpose of procuring medical assistance for one of the young ladies, who was labouring under consumption. The ladies took up their abode in the house of a Mrs. Roddis, in Mornington Place, Hampstead-road; and Mrs. Cashin having heard much of the wonderful cures effected by Mr. St. John Long, determined to seek his advice and aid for her daughter. Mr. Long, it seems, had not been regularly educated as a surgeon, but he had acquired considerable celebrity for a line of practice which he had adopted, and occupied a house in Harley-street, Cavendish-square. Thither Mrs. Cashin repaired; and a short attendance upon the young lady, who was only sixteen years of age, was sufficient to confirm the melancholy fears of her mother, that all human exertions in her behalf would be of no avail. The insidious nature of the disease by which she was affected was known and acknowledged by Mrs. Cashin, and a desponding apprehension seized upon her mind, that her eldest daughter might also be attacked with this dreadful disorder. A new application on her behalf was therefore decided upon to Mr. St. John Long, who was requested to devise some means by which the impending mischief might be prevented. Mr. Long participated in the fears of the young lady's mother, and acknowledged the prudence of the course which she had adopted; and, bidding them at once give up their fears, he assured them of his perfect ability to attain the object which they so anxiously had in view. Miss Cashin at this time was twenty-four years of age, and in the full enjoyment of health; but, notwithstanding the absence of any necessity to take any active steps in her case, Mr. Long determined upon employing his line of treatment towards her. The general nature of this treatment may be simply stated to be this:—in cases of internal disease, it was proposed, by creating an external wound and a discharge, to carry off the malady. In a few days the external wound was produced in the case of Miss Cashin, by what means did not appear, as the general mode of treatment was kept secret by the quack; and the effect was of the most dreadful description. The wound daily increased,

Digitized by Google

and appearances soon presented themselves which so alarmed Mrs. Roddis, the landlady, that she felt herself called upon to adopt measures on behalf of the young lady.

She wrote to Mr. Long, and in a day or two he called. Mrs. Roddis humanely urged that danger might arise from symptoms which appeared so violent; but the doctor laughed at her apprehensions, declared that the wound was going on remarkably well, and that he would give a hundred guineas if he could produce similar favourable signs in some other of his patients. It was represented to him, that the wound had wrought a disease upon the young lady of another description,—she was unable to retain anything upon her stomach. For this, he said, he had a remedy with him if he chose to apply it. He was an enemy, however, to physic,—the sickness was a favourable symptom, and the young lady would find relief from its disagreeable effects by taking mulled port wine. This, however, like everything else, was ejected from the stomach. Mr. Long called again; in vain were certain angry appearances about the wound pointed out to him; he remained positive in his declared opinion, and refused to take any new measures for the young lady's immediate relief.

Every day brought new symptoms, which were looked upon by Mrs. Cashin as unfavourable and dangerous; and at length Mr. Brodie, of Saville Row, was called in. This eminent surgeon took every step possible for Miss Cashin; but all his efforts were useless, and the very morning after his assistance had been obtained, the young lady expired. Mr. Long was acquainted with the circumstance of new aid having been procured, but he assured Mrs. Cashin that this was quite unnecessary, and he never afterwards called.

Circumstances of so remarkable a character were not likely to pass unnoticed or unquestioned, and on Saturday the 21st of August, 1830, a Coroner's jury was summoned to inquire into the cause of the death of the deceased young lady. The investigation created much interest, and professional gentlemen attended on behalf of Mr. Long, as well as of Mrs. Cashin, to watch the proceedings.

Mrs. Roddis was the first witness examined, and she deposed to the circumstances which are above detailed. Upon her cross-examination by Mr. Long's solicitor, it was attempted to be elicited from her, that the deceased had eaten a great quantity of plums; but this was distinctly denied; and Mrs. Roddis asserted, that ten days before her death, the young lady was in perfect health. The younger Miss Cashin, she added, had died on that very morning.

Mr. Brodie's evidence was conclusive as to the cause of the death of the deceased. He said that he had been called in to attend the deceased young lady, and found a wound on her back, with considerable sloughing. He saw but slight hopes of her recovery, but applied such remedies as he deemed fit. On the next morning he found that she was dead. Mr. Brodie added that he had no knowledge of the manner in which the wound had been produced; but there was no doubt that it was that which had caused the sickness complained of, and which had also been the cause of death. He was at a loss to imagine how the production of such a wound could be supposed to have any effect in curing a patient of consumption, or in preventing such a disease.

Digitized by Google

At this point of the inquiry it was determined that the body of the deceased lady should undergo a post-mortem examination, and the further investigation of the case was, therefore, postponed until the following Monday.

On that day the inquest was resumed, new advocates appearing for the respective parties.

Sir Francis Burdett then came forward to speak to the mode of treatment adopted by Mr. Long with some of his patients, which he did not think dangerous; by his recommendation two persons had put themselves under Mr. Long's care. He did not know the nature of the application used by Mr. Long; he had used it on his hand for the gout, but it did neither good nor harm. He had waited on him, understanding he could cure the tic douloureux, and he wished to have some information on the subject, with the view of apprising his friend, the Marquess of Anglesea, who was affected occasionally with that disease.

Dr. Alexander Thompson, who had examined the body of the deceased, was called, but he could form no positive opinion of the cause of death, as he was not permitted by the family to inspect the spine and head.—In this state of things, it was resolved that Dr. Thompson should pursue the examination of the body, and for that purpose was requested to have it exhumed from the burial-ground in Moorfields, where it had been interred.

On Wednesday the Coroner and Jury again assembled, when Dr. Alexander Thompson, Mr. Thomas King, surgeon, Mr. Wildgoose, surgeon, Dr. John Hogg, Dr. Thomas Goodeve, Dr. James Johnson, Mr. John Maclean, and Mr. Thomas Evans, who had all been present at the last opening of the body, and examination of the spine and head, were examined. They all concurred that it was a perfectly healthful subject—beautiful in form, and free from all disease, save that occasioned by the wound in the back. Few people could recover after such a local injury, which appeared to them perfectly unjustifiable. A notion was entertained by some that it was advisable to produce an external illness, for the purpose of drawing off an internal disease. Here was no internal disease, and the concurrent opinion of all was, that death had been occasioned by the wound in the back. The wound possessed much of the character of a burn, not produced by fire, but by some application that would cause the same result. The mode of inflicting the wound was kept secret.

Mr. Patrick Sweetman was then called: The deceased left Dublin about two months before, in perfect health. He saw her two days before she died, and had an interview with Mr. Long, who described her situation as most favourable, and said, that there was no danger whatever. The deceased was twenty-four years of age; her younger sister was sixteen. The latter was in a consumption, and left Dublin to be put under Mr. Long's care; he believed she had also a wound in her back. From the first Mr. Long said he could not undertake her cure. Mr. Long stated to him the causes of the deceased putting herself under his care. He told him that a young lady, one of his patients, had asked him what he thought of the health of Miss Catherine Cashin, who was in the habit of going to his house with her sister Ellen; and Mr. Long told the young lady that Miss Cashin would be seized with consumption in less than two months,

Digitized by Google

unless she allowed herself to be rubbed by him with his mixture. She informed the mother of what Mr. Long had said, and she consented to her undergoing this treatment, lest she might have to accuse herself of any neglect in the care of her children. Mr. Long said, he required every one to sign a book. He required those who signed it not to divulge anything regarding the mixture, and the inhaling which he prescribed. The inhaling was going on in the house while I was there. I signed the book, as a mere matter of form, at his request. He charged a guinea each visit for each young lady. I did not inhale; I should be very sorry to do so. He demanded no fee from me. Miss Ellen Cashin was pronounced by the most eminent medical men in Dublin to be consumptive. Mrs. Cashin heard of Mr. Long in consequence of a book which he had published. The faculty in Dublin endeavoured to dissuade her from bringing her daughter here, but she would. At the conclusion of this witness's evidence, the inquiry was adjourned until Friday.

On Friday the jury once more assembled, and the evidence, touching the death of Miss Cashin, having been closed, Mr. Adolphus addressed the jury on the part of Mr. Long. He said that even supposing for a moment that the death of Miss Cashin had been caused by Mr. Long's application, there was no evidence of malice prepense to constitute murder; and as to "manslaughter," it had been recently decided, by two learned judges, that if a man, whether ignorant or skilful, acted honestly, and with intention to do good, he was not accountable for the result. Different practitioners adopted different modes of treatment, and it often happened that that which was deemed advisable by one was considered quite the contrary by others, and yet the practice objected to was the more successful.

Miss Matilda Christian, of North Bank, Regent's Park, said she had been a patient of Mr. Long's for some time; her complaint was a consumption. Mr. Long treated her as he did his other patients; he made wounds on the chest, on the left side, on the back, and on the temples; she recovered entirely under his care; the wounds left some marks, which might be seen when she was cold; her former medical attendant expressed great astonishment at her cure. In cross-examination by the jury, she said the sores did not affect her inside, nor did they confine her to her bed; Mr. Long had employed rubbing, as he did to the deceased, but what the ingredients were she did not know; for the rubbing he used a sponge; there was considerable discharge from the sores; she expectorated some stuff, which was put in water and sunk to the bottom; he cured a Miss Rough of a complication of disorders in the same way; she had lost her father, brother, and sister, by consumption of the same kind she had when she went to Mr. Long.

Mr. N. J. Bluett, formerly a solicitor, and residing at Brighton, attended Mr. Long for a complaint originating in accident; he had a general debility and swelling of the glands; he was completely cured by an application of Mr. Long's, which at first created great pain; he attended him for six months; the same application was made every day; he inhaled something; he saw several other patients, and the same liquid was applied to all; he was told by other medical men that his case was one of the most desperate of the kind; he never pretended his complaint was consumption; after inhaling, his appetite, which had been lost, was greatly improved, as well as his general health.

Digitized by Google

Mrs. Sharpe, wife of General Sharpe, York Terrace, Regent's Park, whose case had been pronounced deep consumption, by Sir Antony Carlisle, was also a patient of Mr. Long's; she had been attending Mr. Long about three months; she inhaled something, and an external application was made to her chest and back, in the same manner as to the other patients; there was considerable inflammation and discharge; she got much better, and was still under Mr. Long's care.

General Matthew Sharpe, husband of the last witness, said that the case was pronounced hopeless, and he applied to Mr. Long, of whom he never heard before; the consequences were highly beneficial: his wife was much better, and ceased to cough altogether; he certainly gave Mrs. Sharpe great relief, whatever might be the ultimate consequences.

Other witnesses who had been patients to Mr. Long, for different diseases, and to whom the same mode of treatment had been applied, spoke in the same terms of the advantageous effects which had accrued.

This evidence, however, was declared by the jury to have nothing to do with Miss Cashin's case; for Mr. Long might have committed many harmless acts, which, nevertheless, would not relieve him from the consequences of one which was not harmless; and the inquest was again adjourned until the following Monday.

On that day the inquiry terminated.

Among the witnesses examined were the Countess of Buckinghamshire, Mr. Prendergast, M.P., and Mr. Higgs, the brewer, all of whom spoke in high terms of Mr. Long's treatment, and of the virtues of his lotion for curing various complaints. The countess said she had greatly recovered since she had attended Mr. Long. Mr. Prendergast said he had suffered severely from a determination of blood to the head. His chest and forehead were rubbed, and the lotion applied to his back by Mr. Long; he was completely relieved, and the pain had not returned to his head from that day. Mr. Higgs said that for many years he had been afflicted with the gout, and had employed common doctors, who had done nothing for it. In February he applied to Mr. Long, and used his medicine for four months, and he was completely cured, perfectly at ease, and free from pain. All the witnesses said, that in consequence of the benefit they derived from Mr. Long's treatment, they had recommended many persons to him, and would employ him again themselves in case of necessity. The coroner, in summing up the case, observed, that if Mr. Long appeared to have possessed the necessary skill and knowledge for carrying on medical practice, and had used due diligence and care in the case of Miss Cashin, they must arrive at the conclusion that in this matter he was nowise to blame. It would be a lamentable thing if every medical man who committed an error of judgment was to be held responsible as if he committed a criminal act. At five o'clock the jury retired to consider their decision upon the case; and at eight o'clock returned into the room, and announced their verdict of Manslaughter against Mr. St. John Long. A buzz of approbation was heard in the room when the verdict was pronounced; and one or two persons cried out "Bravo!" Others exclaimed, "Shame, shame!" The coroner then asked if Mr. Long were present, and having been informed he was not, issued a warrant for his apprehension, and bound the witnesses over to attend at the sessions and prosecute the offender. The jury-room was crowded to the last moment.

Digitized by Google

Mr. Long subsequently surrendered to the warrant, and was admitted to bail to answer the charge; but on the case being called on for trial at the ensuing Old Bailey sessions on the 18th of September, it was postponed, owing to the absence of some material witnesses for the prosecution.

On the 30th of October Mr. Long was placed upon his trial, when the same facts which we have detailed were stated in evidence. After an ample investigation, a verdict of manslaughter was again returned. Mr. Long was then committed to Newgate to await his sentence; but on the following Monday, he was again placed at the bar. The Court then passed upon him a sentence, condemning him to pay a fine of 250*l.* to the king. The money was immediately paid, and the defendant was discharged out of custody.

The case had already created a great degree of interest in society from the vast number of persons whom Mr. Long had attended; and many honourable and right honourable persons were present at his trial; but the public excitement was still further aroused upon a subsequent charge of a similar nature being brought against him. The result of this charge was different from that of the indictment preferred in the case of Miss Cashin, but the affair was regarded with no less astonishment by the larger proportion of the community, who wondered at the folly of any person submitting to the absurd mal-treatment of this person for the cure of any real or supposed disease.

We give the proceedings of the coroner's inquest as they were published at the time, detailing more particularly, as they do, the course of treatment adopted by Mr. Long.

On Wednesday morning, November 10th 1830, at eleven o'clock, J. H. Gell, Esq. and a highly respectable jury assembled at the Wilton Arms, Kinnerton-street, Knightsbridge, to inquire into the death of Mrs. Colin Campbell Lloyd, aged 48, the wife of Captain Edward Lloyd, of the royal navy, whose death was alleged to have been occasioned by the treatment she had experienced under the hands of Mr. St. John Long.

The inquiry excited the most intense interest, and the jury-room was crowded to excess, principally by gentlemen of the medical profession, anxious to hear the result of the proceedings.

Mr. Wheatley, a barrister, attended on behalf of the family of Mrs. Lloyd; and Mr. Wooller appeared to watch the proceedings for Mr. St. John Long.

After the jury were impanelled, they proceeded to view the body of the unfortunate lady, at her lodgings, No. 33, Wilton-place, and on their return the following evidence was adduced:—

Mr. George Vance, of No. 27, Sackville-street, Piccadilly, surgeon: I visited Mrs. Lloyd on the 21st of October last, which, as I was informed by her medical attendant, Mr. Campbell, was about ten days from the commencement of her illness. Mrs. Lloyd informed me that she had inhaled from a tube a few times at Mr. St. John Long's, in Harley-street, and had been rubbed on the chest with a liniment twice; she did not say who rubbed her; the first rubbing, she said, produced no inconvenience, but the second a sense of burning heat; she stated that she was quite well at the time, and had not suffered any important indisposition for three years, which was the time I had attended her; from the inhalation, it appeared to me that her tongue, mouth, and fauces had eroded; on examining her

Digitized by Google

chest I found a sloughing sore of great extent (where she had, by her own account, been rubbed with a liniment), which extended from the arm-pits across the chest in one direction, and from the collar bones above, under the nipples, in the other direction; in the middle of this sore, the soft parts covering the breast-bone were black and dead, but towards the circumference there was a little appearance of health, and the mortified parts were separating from the living; the stomach was much disturbed, and she was in a state of great exhaustion and despondency, frequently expressing a desire to die; in a day or two after my attendance some of the constitutional distress (by which I mean fever and irritation, as well as the sickness of the stomach) subsided in a degree, and her spirits revived; the dead parts began to separate more freely, and in a correspondence with her friends I gave encouraging hopes of her amendment; no granulations, however, appearing in the clean parts of the sore, and the surface having become dry and flabby, exhibiting the appearance of the dissected parts of a dead body, I imparted to her friends the certainty of her death. Mr. Campbell, a surgeon, and myself, together and separately, removed masses of putrid flesh. The breast-bone was found bare, and I believe that if the slough had been freely thrown off, the cartilages of the ribs would have been exposed also. The deceased gradually grew weaker, and died on Monday morning the 8th of November. In my opinion the application of some corrosive matter, applied to the parts which I found in a state of mortification, was the cause of her death.—Mr. Vance added, that about three years before, he had attended Mrs. Lloyd for an affection in the throat, which he considered to be Globus Hystericus. It was a nervous complaint, but soon disappeared. This was the only disease which he observed in Mrs. Lloyd; she was, in all other respects, a stout woman, very richly covered with fat. He had never known any disease of that nature terminate fatally. Mrs. Lloyd said, that she had been persuaded to apply to Mr. Long.

Mr. Brodie, of No. 16, Saville-row, surgeon; and Mr. Campbell, surgeon, of No. 23, Wilton-place, confirmed the testimony.

Captain Lloyd was then examined: He said he came to London with his wife and family on the 15th July; Mrs. Lloyd was in good health, but subject to a nervous affection of the throat when she took cold; she continued in good health, until she became ill from the rubbing of Mr. Long. On the 5th I accompanied her to Mr. Long's house; she merely had a conversation; she went on the following day, when she inhaled. On the 7th she inhaled again, also on the 8th, when she paid him 1*l.*; she went to him on the 9th, when she was rubbed, for the first time, across the bosom, as she described to me; on the 10th October she told me that she had inhaled as before, and afterwards was rubbed—as they termed it, "rubbed out;" she told me that there was but a small portion of liquid in the saucer, but more was added when that was expended. She became so unwell while the rubbing was going on, that the rubber became alarmed and went for Mr. Long, who did not come for some time, but when he did he said it was nothing, and would soon go off, which it did after some time; but an odd sensation remained, which continued during the evening; she came home in her sister's carriage, and continued uneasy the rest of the day; she complained of a cold and chillings all the evening; a cold shivering fit came on when she retired to bed, and she took some

Digitized by Google

hot wine and water; she had a restless night, and on the 11th October was unwell all day; there was a vivid redness across the breast where the rubbing had taken place, and a dark place in the centre of the breast, from which a discharge was taking place from under some cabbage-leaves, which had been applied by the direction, as she said, of Mr. Long; the large dark spot on her breast still got deeper in colour. The edges were white, and all much puffed up. The pores of the skin on the black spot were expanded, but did not break. She expressed great surprise that Mr. Long did not call, and was inclined to be sick during the day, and could not take any nourishment, and complained of a dreadful burning heat in the breast. She passed a restless night, and on the morning of the 12th of October, on looking at her breast, it appeared to me that from lying on her back wherever the matter discharged from the wound rested it caused fresh blisters, some of which I cut to relieve her pain, as she complained all over. A wicker cradle was forced to be made to place over her to prevent the bed-clothes touching her. On this day I called upon Mr. Long, who expressed his surprise at not having seen Mrs. Lloyd to go on with her inhaling. On explaining her inability, and great sufferings, he said that he would come in the evening, which he did, and found that she had applied some common blister dressing to alleviate the heat and burning feeling. Mr. Long said that was wrong, and contrary to his practice, but he would rub it out, which Mrs. Lloyd exclaimed against, saying that she had suffered so much that she could not endure these parts being rubbed at all; the very idea of touching them, even by herself, was excruciating. Mr. Long said that the only thing necessary to be applied to the wound was old dry linen, to absorb. He then asked for a towel, and began rubbing it dry on the large black spot, as I suppose to absorb the discharge. Mrs. Lloyd said she had always healed any little blister by a simple blister-dressing; and Mr. Long said he saw no objection to her using it, and then departed. During the time Captain Lloyd was giving his evidence he appeared deeply affected, and frequently burst into tears.

The inquiry was then adjourned until the next day.

The jury resumed the inquiry on Thursday morning, when a post-mortem examination of the body took place.

Further evidence was given in corroboration of that heard on the preceding day, when the gentlemen who had examined the body of the deceased read a report, from which it appeared that the body was perfectly healthy. The lungs were sound and free from all disease. The heart was healthy, and the windpipe equally so; in fact, the medical gentlemen added, that in their professional researches they had seldom seen a body that had lived forty years with internal structures so generally healthy, and so fine in their proportions.

Several of Dr. Long's dupes were called to swear to the general excellence of his treatment.

The coroner addressed the jury, stating that the question for their determination was, whether the deceased came by her death from gross ignorance or inattention from her medical attendant, or whether she died a natural death.

The jury retired for about half an hour, and then returned the following verdict:—

"The jury, having attentively and deliberately considered their verdict,

Digitized by Google

can come to no other than Manslaughter, against John St. John Long."

The coroner inquired on what grounds they found their verdict?

Foreman: On the ground of gross ignorance, and on other considerations.

Upon this second charge Mr. Long was tried at the Old Bailey on the 19th of February, 1831.

Mr. Long appeared somewhat confused on his entering the dock, but he soon recovered his self-possession, and bowed to many persons who entered the court. The case was tried before Mr. Baron Bayley.

The evidence of Captain Lloyd, and of the other witnesses examined before the coroner, was now again gone into, and the additional testimony of Mr. Campbell, who had first seen Mrs. Lloyd after she had quitted Mr. Long, was also given. His statement was as follows:—

I am a surgeon; I visited Mrs. Lloyd some time before her death; she appeared to me a healthy person; she told me a few days before her death that she was suffering great pain in her breast, which, from its appearance she must have done; there were very extensive wounds, no doubt produced by strong corrosive liquid; the skin was destroyed, and hung in folds on the chest; there was a considerable discharge from the wound generally; the wound extended from nearly one arm-pit to the other, and from the throat to the bottom of the chest; the skin was off both breasts; it was of a very dark colour; when I attended her first, there was no cabbage leaf on; I applied a simple dressing; I saw the deceased afterwards, every day until her death; I considered the wound dangerous to life from the first moment that I saw it; when Mr. Vance was called in, he applied the same dressing, and I described to him the treatment I had pursued; I gave the deceased some internal medicines; it was not until mortification had commenced that bark and mineral acids were administered; according to the best of my judgment, I should say that the deceased died of the wound in her chest; it certainly was not necessary to produce such a wound to cure a difficulty in swallowing; I know of no disease where it would be necessary to produce such a wound.

Cross-examined by Mr. C. Phillips: I have practised as a surgeon for seven years; some hope (after Mr. Vance was called in) remained that Mrs. Lloyd would recover; from the time that I was called in Mr. Long had no opportunity of prescribing for her; generally speaking, the remedy applied by the surgeon must be regulated by the description the patient gives him of his disease; I was not present when the deceased first described her symptoms to Mr. Long; I do not recollect whether I proposed to Mrs. Lloyd to call in some eminent surgeon; I did not consider that I was authorised in calling in another surgeon without the party wished it; the general practice in dangerous cases certainly is to mention it to the friends, and leave them to act as they please.

Mr. Phillips: Seeing, as you express it, that it was a wound dangerous to life, did you not wish for further assistance? Witness: I had no objection to take the chance; mortification came on about seven or eight days after Mrs. Lloyd was under my care; I was from the beginning apprehensive of gangrene, but I cannot say how soon afterwards it commenced; I applied nothing but simple dressing until Mr. Vance was called in; I stated at first to the friends of the deceased the danger that I

Digitized by Google

anticipated from the wound; I attended her nearly a month before she died, during which time Mr. Long had no opportunity of seeing or prescribing for her.

Re-examined: I fully believed that I understood how to treat the wound; I saw the body examined after death, but from nothing I then saw do I think there is any reason to suppose that I mistook the cause of death; I never saw a wound like the one on Mrs. Lloyd's breast produced by a blister, and in such cases, where fatal results have followed, there have generally been appearances to account for them.

By the Court: I think simple dressing best calculated to have reduced the inflammation.

When the whole of the evidence had been given, Mr. Alley and Mr. Adolphus addressed the court, and urged that there was nothing in the proofs, which had been adduced, which fairly brought the prisoner within the jurisdiction of the court.

Mr. Baron Bayley, however, held that any man presuming to meddle with what he did not understand—unacquainted with the principles of medicine, venturing to prescribe for the sick, and thereby causing their death, incurred a heavy responsibility, and indisputably, in some cases, was guilty of manslaughter. It would be for the jury to decide whether the present case assumed such a complexion.

The prisoner was then called on for his defence.

He addressed the court and jury at some length, urging that the death of the deceased was occasioned, not by any improper treatment of his—for that, if he had been permitted to attend her for a few days longer, he would have restored her to perfect health—but to the inexperience of Mr. Campbell, into whose hands she was thrown, to his utter exclusion. He complained of the prejudices which had been excited towards him by practitioners, who were jealous of his success; for while he was earning ten or twelve thousands a year, they were not obtaining more than one-third of that sum. It was true that he was not a member of either the College of Surgeons or Physicians; but he had spent a fortune in the attainment of his professional knowledge, and in the pursuit of his practice had given the most universal satisfaction—so much so, that were he acquitted that day, he was persuaded he should be again honoured with the confidence of those distinguished and respectable individuals who had already from experience placed implicit confidence in his skill and judgment. Of those, he was proud to say, he had many in attendance, to whose testimony in his behalf he should refer. He complained that he had not himself been examined as a witness, before the Coroner's inquest, and repeated, that if guilt attached anywhere, it did so to Mr. Campbell more than to himself; for that there was nothing in his treatment which could have occasioned the melancholy result, which no man deplored more than himself. The prisoner spoke in rather a low tone of voice; and, having a slight impediment in his speech, his address did not seem to make a very forcible impression.

The counsel of the prisoner then proceeded to call evidence in his behalf.

Mr. Abingdon was examined: He said he had several times been under the care of the prisoner; he had an asthma, and subsequently a determination of blood to the head.

Digitized by Google

The Attorney-General here interfered, and submitted that the course of the present examination ought to be confined to the general character of the prisoner, in which the court, after hearing arguments from Mr. Alley and Mr. Phillips, acquiesced.

Mr. Phillips endeavoured to shake this decision, contending that as the indictment raised the question whether Mr. Long was grossly ignorant, or had been grossly careless, it was impossible to establish his innocence otherwise than by showing, as he verily believed they could, that he was both learned and skilful. and most attentive and humane in his practice of the healing art.

Mr. Baron Bayley: We cannot go into specific cases; we must confine ourselves to general evidence.

Mr. Phillips resumed the argument at length, but

The Attorney-General, in reply, said that if his learned friends found themselves at liberty to go into all the successful cases of the prisoner, he should go into the several failures in his practice.

The court having repeated its former decision, the examination of Mr. Abingdon was resumed, and he stated that the prisoner had attended him for several disorders, and he had the fullest reason to be satisfied with his skill, care, and attention.

Mrs. Ashworth, the wife of General Ashworth, Miss Rook, her sister, Mrs. Prendergast, Mrs. M'Donnell, Mrs. M'Dougall, and a vast number of other ladies and gentlemen were then examined, and every one of them bore testimony, in the strongest manner, to the skill, assiduity, and humanity of the prisoner, and to the extraordinary success which had uniformly attended his practice.

Mr. Baron Bayley then proceeded to sum up, observing, that the question for the jury to decide was, whether the prisoner had been guilty of gross rashness, or had manifested culpable ignorance. The point at issue was, not whether, after the medicine had been administered, the prisoner had been inattentive, for his services were prevented; but whether, before it had been administered, he was ignorant of its nature and probable effect upon the constitution of the unhappy person to whom it was applied. His lordship then proceeded to read over the evidence, and to comment upon it as he proceeded. If the jury were of opinion that the death took place from the wound given on the morning of the 10th, they would give their verdict against the prisoner; but they must be fully satisfied that the death arose from that alone. If they entertained any doubt, the prisoner would be entitled to the benefit of that doubt; but they must be satisfied that the crime imputed to him had been committed feloniously.

The jury retired at half-past eight o'clock. and returned in an hour with a verdict of "Not Guilty."

Several ladies, elegantly dressed, remained with the prisoner in the dock throughout the day, to whom this verdict appeared to give great satisfaction.

Mr. Long, upon his discharge, resumed his "rubbing in" practice, as before, and, we believe, still with much success. Many reports were circulated as to his habits and history, and many calumnious statements were made, both as to his mode of life and the system which he had adopted to carry on his business. For one of these libellous publications he brought

Digitized by Google

an action in the Court of Common Pleas, which was tried on Tuesday, 14th June 1831, and he obtained a verdict with 100*l.* damages.

Mr. Long, we believe, was a native of Mallow, in Ireland, where his father carried on the useful but humble trade of basket-making, in which he was assisted by his son. At an early period of the life of our hero, his father removed to Doneraile, and there he became acquainted with some members of the family of a gentleman named Hill. The young Hills were at the time engaged in perfecting themselves in a knowledge of drawing, and young Long being observed by them to possess some taste and considerable aptitude as a draughtsman, he was permitted to copy the sketches which they made. A slate and pencil were his original utensils; but his patrons, finding that he soon excelled them in proficiency, generously provided him with better materials, and better means of obtaining a knowledge of the art for which he had taken such a fancy. A short time served to render him a tolerable proficient; and leaving the basket-making trade to be prosecuted by his father and brothers, he repaired to London, where for a considerable time he supported himself by the productions of his pencil. We have no means of learning the manner in which he discovered his system of medical treatment, or in which he was first introduced to the public as a successful operator in the case of certain diseases, but it is true that he numbered amongst his patients persons of the highest eminence in this country, and that he obtained an extent of practice which enabled him to live in excellent style.

He died in the year 1834, and his body was consigned to the tomb in the Harrow Road cemetery, where a monument has been erected to his memory at the cost of his former patients, who, in an inscription, pay a handsome tribute to his talents.

WILLIAM SWALLOW, *alias* WALDON; GEORGE JAMES DAVIS, *alias* GEORGE HUNTLEY; WILLIAM WATTS, *alias* CHARLES WILLIAMS; ALEXANDER STEPHENSON, *alias* TELFORD; AND JOHN BEVERIDGE, *alias* ANDERSON.

TRIED FOR MUTINY AND PIRACY.

THE whole of these persons at the time of their trial for piracy were already convicts; but having been concerned in a mutinous seizure of a vessel, in which they were confined as prisoners, they subjected themselves to a punishment more severe than that to which they had been already sentenced, and were therefore liable to a second trial.

They were indicted at the admiralty sessions of the Old Bailey on Thursday, November 4, 1830, for having, on the 5th September in the previous year, piratically seized the brig Cyprus. And they were also indicted for that they, being convicts, had been found at large in England before the period of the sentence of transportation passed upon them had expired.

The facts proved in evidence were shortly these:—The prisoners were convicts in Hobart Town, but having been there guilty of second crimes, by which they rendered themselves liable to new punishment, they were tried before the supreme court of judicature there, and sentenced to transporta-

Digitized by Google

tion. The places to which prisoners twice convicted were at this period assigned, were Macquarie Harbour, a place on the northern coast of Van Diemen's Land, and Norfolk Island, which is situated at a distance of about a week's sail from Sydney, in an easterly direction. The prisoners were ordered to be conveyed to Macquarie Harbour, where they well knew they would be subjected to drudgery of the very worst description, in punishment for their offences. The Cyprus; a colonial brig, was chartered to convey them to the place of their destination; and, in the month of August 1829, she sailed, having on board thirty-two convicts, a crew of eight men, a military guard of twelve men, under the command of Lieutenant Carew, whose wife and children were passengers, and a medical gentleman named Williams, under whose superintending care the convicts were placed.

On the 5th of September, Dr. Williams, Lieutenant Carew, the chief mate, a soldier, and a convict named Popjoy, went ashore in Research Bay on a fishing excursion; but when they had left the ship about half-an-hour, they heard a firing on board, which induced a fear that the convicts were striving to overpower the guard and crew. They immediately returned, and on their going alongside found that their anticipations were realised, and that the convicts having risen *en masse*, had mastered the guard, and were now in possession of the ship. They refused to suffer any one to board except Popjoy; and, having secured him, they thrust him down below. Immediately afterwards the convicts sent the crew and the soldiers and passengers ashore, but without provisions or the means of existence. Popjoy swam ashore the next morning, and was of material assistance afterwards in procuring fish, &c. for his fellow sufferers.

On that evening the Cyprus made off, and Lieutenant Carew and the rest remained in a most forlorn and miserable condition for many days, until they were at length happily delivered from the dangers which surrounded them by the Zebra, a small vessel which was accidentally sailing by, and saw some signals of distress which they made. The Cyprus was never afterwards heard of; but the prisoners were apprehended separately in various parts of Sussex and Essex, whither they had returned to their old haunts.

The evidence of Popjoy, who for his good conduct on this occasion had received a free pardon, and who was now a seaman in the East India Company's service, was procured at the trial, and tended to fix guilt upon all the prisoners; Stevenson and Beveridge, however, he admitted were not so active as many others; and the conduct of Swallow, he said, was quite consistent with the defence which he set up, that he had been forced to act by the other mutineers.

Other witnesses corroborated his testimony, and Swallow was acquitted, while a verdict was returned against the other prisoners, Stevenson and Beveridge being recommended to mercy.

Sentence of death was immediately passed upon the convicts.

On the 1st of December following, the cases of the prisoners were reported to His Majesty, by Sir Christopher Robinson, the judge of the Admiralty Court; and His Majesty was pleased to grant a respite to all but Watts, *alias* Williams, and Davis, *alias* Huntley.

On Thursday, 9th of December 1830, the sentence of death was carried into execution on these culprits. In the early part of the morning they

Digitized by Google

partook of a slight repast, and at about half-past seven received the sacrament. They then admitted that they were about to die justly, and declared that they were at peace with the world. Davis was neatly and respectably attired in a new suit of blue clothes; and his fellow-sufferer also wore a blue jacket, with a white waistcoat and trousers. They behaved with much decorum, but were both extremely dejected.

Beveridge and Stevenson, who had also been convicted, were transported for life to Norfolk Island; and Swallow having been identified upon the indictment, by which he was charged to be a returned transport, was sentenced to be once more sent back to Macquarie Harbour, to undergo the remainder of the punishment to which he had been already sentenced.

LUKE DILLON.

TRANSPORTED FOR RAPE.

No person possessing the ordinary feelings of human nature can read the dreadful detail of this villain's detestable crime, without shuddering at the baseness of heart which prompted him to its commission. Few instances are to be found where the remorseless debauchee has resorted to means so horrid as those adopted by this youthful destroyer of female virtue; and setting aside his age, and the respectability of his family, one is at a loss to discover a reason why the full sentence which the law awarded to his crime should not be carried out, and why a mitigated punishment of transportation only should have been inflicted upon him.

He was tried at the Commission Court at Dublin on Thursday the 13th of April 1831, on a charge of feloniously violating the person of Miss Anna Frizell, a young lady of most respectable connexions and amiable disposition, and but twenty years of age.

Upon his being placed at the bar, Dillon appeared to be only about twenty-one years of age. He advanced to the front of the dock with an air of the most unblushing effrontery. He was fashionably and gaily attired, and his appearance was highly prepossessing.

Miss Frizell was the material witness against him; and her evidence detailed the whole of the connexion which had existed between her and the prisoner. She was frequently interrupted during her examination by her emotions; and her answers were allowed to be repeated by Mr. West, king's counsel, who sat near her. From her statement it appeared, that she had been principally educated abroad, and that, after having passed eight years in a convent in France, she returned to her father's house at Slapolin, near Howth, in the year 1828. She was occasionally in the habit of visiting her relations, Dr. and Mrs. O'Reardon, who resided in Molesworth-street, Dublin; and there she met the prisoner about two years before the trial. An acquaintance soon ripened into an intimacy; and on her meeting him at a party at Mr. MacDonnel's, in Stephen's Green, whither she had accompanied Mrs. O'Reardon in October 1830, he professed himself to be her warm admirer. At her invitation he was to call upon her on the following day, for the purpose of receiving some letters which he had undertaken to convey to England for her; but upon his knocking at the door, Dr. O'Reardon presented himself, and denied her to

Digitized by Google

him. On the 4th of November they again met, and the prisoner then accompanied her, and Mrs. O'Reardon, to a dinner party. They entered into conversation in the course of the evening; and Dillon requested her to meet him on the following day, as he had something particular to say to her. She exhibited some hesitation in complying with this request; but eventually she consented to an appointment in Kildare-street. She accordingly repaired to the spot; but it proved wet, and for shelter they entered a cottage which presented itself to them in a walk which they took. They remained there during two or three hours; and in the course of that time the prisoner disclosed to her his object in requesting her to meet him, which was to ask her hand in marriage. Her answer to him was that she should be very happy, provided he could obtain her father's consent; but added, that if money was his object, he would be disappointed, as her father had a large family, and could not give her any considerable portion. He declared that he had no such sordid motive in view in making the offer which he presented to her, and that if he succeeded in gaining her affections with her hand, he should consider himself supremely happy, for he had money enough to support them both, and had besides very considerable expectations from his uncle. Before they quitted the cottage, he kissed her twice; and as they drove away in a carriage, which he had sent for in consequence of the rain, he pressed her to marry him privately, as he was sure that her father would never consent to their union. The carriage drove on as Miss Frizell believed in the direction of Molesworth-street, but presently it stopped at a house in Capel-street; and at the earnest solicitation of the prisoner, the young lady alighted to take some refreshment, receiving an assurance that she should immediately afterwards be conveyed home. She entered a house with the prisoner, and they were shewn into a back apartment by a young man, who was directed to bring some fish. They sat together for a time, and then Dillon left the room. He was away for ten minutes or a quarter of an hour; but on his return he said, that the evening was fine, and she could walk home. As she had taken no punch, however, he insisted that she should have a little warm wine and water; and some was almost immediately brought by the waiter. Dillon then placed the glass to her lips, and held her head until she had swallowed full half the contents of the glass. She directly felt stupified and faint, and became quite unconscious of what subsequently passed, until she found herself at night, undressed, and lying on a bed by the side of the prisoner, in a room above that in which they had been sitting. Frantic with terror, she sprang from the bed, and in her hurry rushed against the wall instead of going through the door. The prisoner ran after her, and seized her round the waist, saying it was all over then, and she might as well be quiet; but she screamed aloud. He dragged her away from the door with great violence, cursing and swearing at her all the time, and again threw her on the bed, where he completed an outrage, which, there was no doubt was a repetition only of an act of violence of which he had before been guilty. He put his hand upon her mouth to prevent her screaming, and swore to God that he would marry her the next morning. He, however, again repeated his violence, and detained her in bed until daylight, when he allowed her to rise; and she ultimately left the house with him, under a promise that he would take her to Mr Kenrick, the priest, and marry her. This promise, however, he did not

Digitized by Google

fulfil, and she returned alone to Mrs. O'Reardon's house. She told Mrs. O'Reardon that she was married; but acquainted her also with the violence which had been used, and that lady fainted, and subsequently she also communicated what had passed to other persons. The prisoner never kept his promise to marry her, and she had never seen him until that day in court since the transaction, the circumstances of which she had just related.

The witness was cross-examined at great length by Mr. Serjeant O'Loughlen, in the course of which she admitted having written a letter, of which the following is a copy, the day after the atrocities described in her evidence in chief:—

"My dearest Dillon—Our car came in to-day. Fortunately papa did not come with it. I was wishing to see you, so I went to Home's, but you were out. I cannot tell you what torture I have been in since I parted with you. You may imagine I am nothing better; you may guess the rest. If you value my life—my honour; everything depends upon you. I have thought of something that will, I think, do. I will see you to-morrow. When I see you I will——. I was obliged to tell Maria (Mrs. O'Reardon) we were married. She is exceedingly ill. The Doctor thinks I was at a lady's in Gardiner-street, a Mrs. Dwyer's. He went to Mrs. Callaghan's himself, so I could not say I was there. For God's sake, meet me to-morrow, about twelve o'clock, at the end of the street, in Dawson-street, and I will, at least, be a little happier, for I am miserable now. Buy me a ring, and, for Heaven's sake, arrange everything. Recollect *who you had* (these words were scratched out) I am not to be trifled with. I am sure papa would blow my brains out were he to know it. I, therefore, rely on your solemn promise last night; and, once more, be punctual to the hour to-morrow. Really, I am almost dead with grief. Indeed, my dearest Dillon, on you depends my future happiness for life. Yours,

"Saturday night. "ANNA."

"Luke Dillon, Esq., Home's Hotel, Usher's-island."

In her further cross-examination, she affirmed she wrote to him in these affectionate terms because Mrs. O'Reardon told her, that if she called him a villain or a wretch, he would never come back to her; and that she wrote the letter for the purpose of bringing him back. After she had been under examination and cross-examination upwards of five hours, her mother, Mrs. Frizell, and Mrs. O'Reardon, were examined, and they corroborated her testimony as far as they had any knowledge of the facts.

For the defence, several persons from the hotel or house where the affair took place stated that the lady was a consenting party, and that no outrage had been committed.—In their cross-examination, however, they prevaricated a good deal, and acknowledged visiting the prisoner in Newgate.

Judge Torrens charged the jury in a luminous speech, who, after one hour and three quarters' deliberation, returned a verdict of Guilty, but strongly recommended the prisoner to mercy on account of his youth.

On the next day he was brought up for judgment, when, in answer why sentence of death should not be passed on him, he replied, in a low, but rather firm voice, that standing in the awful situation in which he did, it was not for him to arraign the verdict of twelve men on

Digitized by Google

their oaths, and he should, therefore, bow with submission to the sentence of the court.—Judge Torrens then, in an impressive manner, observed, that after a most anxious consideration of his case, the recommendation of the jury could not be attended to. His lordship, in a tremulous accent, pronounced the awful sentence of the law, fixing Saturday, the 7th of May, for his execution.

The most strenuous exertions were made to save the life of this unhappy but most guilty culprit; and petitions signed by many persons of the highest respectability were forwarded to the crown in his favour. The recommendation of the jury was also most strongly represented, and as it was said that even the friends of the young lady herself were unwilling that he should expiate the foul crime of which he had been convicted on the scaffold, a reprieve was granted, and his punishment was eventually commuted to transportation for life.

The wretched young man was eventually transmitted to Sydney with other convicts; but here his fortune and the respectability of his connexions enabled him to obtain privileges not usually granted to persons in his situation. He was of an excellent family in the county of Roscommon, and by the death of some of his relations came into a handsome fortune. Money, in the colony in which he was compelled to reside, would obtain for him every luxury which he could desire; and from recent accounts received from that place, it appears that he was among the gayest of the gay of that extraordinary society.

We have but one other fact to add to our recital of this most distressing case. The unhappy object of Dillon's machinations and brutal crime died in the month of June 1831, a victim to her own sensitive feelings. She had gone to Bangor, in Wales, in hope that a change of scene might relieve her of the melancholy which appeared to have settled upon her mind, but she died there of a broken heart.

JOHN TAYLOR, AND THOMAS MARTIN.

IMPRISONED FOR BODY STEALING.

THE peculiarity of the defence of these men, and the extraordinary nature of the proceedings in the court upon their trial, induce us to give their case a place in our Calendar.

They were indicted at the London sessions on Thursday, the 21st of April, 1831, for having stolen the body of an old man named Gardiner from St. Bartholomew's Hospital. Taylor was recognised as a notorious "body-snatcher," or resurrectionist, and Martin was an undertaker.

Taylor had taken the old man, who had a spinal disease, to the hospital. In a very short time the patient sunk under the complaint, and Taylor contrived to get possession of the body by a manœuvre, and assured the daughter of the deceased that her father had been ordered to be buried quickly, on account of the mortification which had taken place. Martin accompanied Taylor on making application for the body at the hospital, and gave a wrong name and address. It was soon discovered by the daughter that the body of her father had been removed, and the two prisoners were taken into custody.

Digitized by Google

Taylor defended himself in the (literally) following manner:—"You see, please you, my lord, I sees the poor old gentleman walking in Fleet-lane, wery bad; and so, says he, 'Jack, I feels queerish, and I don't suppose as how I'll get over this here caper.' So, you see, I takes him into a public-house and gives him half a pint of beer quite warm, and a pipe of backy, and so he stays there till six or seven o'clock; and then, says he, 'Jack, you must get me a place for to lay upon;' but they wouldn't have him in no house whatsomdever; for, please you, my lord, he warn't without warmint. (Laughter.) Well, then, my lord, you see he gets worse, and he axed me to take him to the hospital; and didn't I take him?"

Alderman Winchester: "Yes, and you took him away from it too." (Laughter.)

Taylor: "Well, my lord, you see, when I sees him snug and comfortable in the bed, I goes off to his daughter, and I told she, and she warn't by no means bevaricated at it; but she said she was obligated to me for my civility and my humanity, you see, for taking care of the poor old creatur wot was so wery bad. And so the old gentleman wanted a shirt wery bad, and I goes to his daughter, and I gets one with a frill to it, and I puts it on him; and so his daughter suddenly turns against me, and she gives me in charge, though I was so kind, for stealing the shirt; and I'm blest if they didn't try me for it at the Old Bailey." (A laugh.)

Serjeant Arabin: "I know they did, for I tried you for the robbery." (Loud laughter.)

Taylor: "Please you, my lord, I think you was my judge. Well, you see, my lord, they couldn't do nothing with me."

Serjeant Arabin: "Come, to the point."

Taylor: "Well, my lord, I'll come soon enough. (Loud laughter.) So you see, she says to me, 'Jack,' says she, 'I'll go to see the old gentleman the next day morning to the hospital, for I believe he's poorly;' and please you, my lord, when she goes there she couldn't find nobody at all, for the body warn't there, because as how some body tuck it away." (Roars of laughter.)

Serjeant Arabin: "No doubt of it; you took it away, and can you prove where 'tis buried?"

Taylor: "Why you see, my lord, I suppose it's in the ground, for what else would you do with it? Ven the breath goes avay from us, there's no use in going further, for then there's an end of the caper. (Excessive laughter, in which the court joined.) Vell, my lord, I never seed the body arterwards; and then they comes up to me, and they charges me with robbing it. But please you, my lord, what could I do with it if I had it? It an't like the body of a cow, or a sheep; and you don't think I'm sich a feller as would do what the black beggars does with the people wot they kills." (Loud laughter.)

The jury told Serjeant Arabin that it was unnecessary to sum up, and found the prisoners Guilty.

Taylor was sentenced to imprisonment for nine months, and Martin to imprisonment for three months.

Digitized by Google

IKEY *alias* ISAAC SOLOMON.

TRANSPORTED FOR RECEIVING STOLEN GOODS.

THERE are few offenders whose name and whose character are more universally known than Ikey Solomon; but there are few also with regard to whom more certain information cannot be obtained. The following brief particulars, we believe, are correct; but the difficulty of procuring positive knowledge upon the subject must prove an excuse for the shortness of our memoir.

Solomon was born in the neighbourhood of Petticoat-lane in the year 1785, of poor parents, who, as their name imports, were of the Jewish persuasion. At an early age young Ikey was compelled to exert himself to procure his own living; for it is a custom which exists among the poorer classes of the Jews, that every child shall be early instructed in habits of industry. At the age of eight years, therefore, he was despatched into the streets with a supply of oranges and lemons, which constituted his first stock in trade. The profits of his business as a fruiterer were not deemed by the young Jew a sufficient remuneration for his labours, and the profession of a *sham ringer*, as it was technically termed, or of a passer of base coin, was added by him to that which he openly carried on, and his youth served him materially in enabling him to escape detection.

At the age of fourteen years, he had acquired considerable knowledge of the general habits of thieves, and he is reported to have practised picking pockets, when opportunity offered, with great success. As he grew older, however, his person and his proceedings became known, and, apprehending that some unpleasant consequences might arise from his carrying on so dangerous a profession, he determined to quit it, and to join a gang engaged in one no less enterprising, but attended with less cause of fear—that of duffing. By this means he obtained a wide connexion, while the sums which he realised amply repaid him for the change which he had made in his mode of life. The business of a fence, or receiver of stolen goods, in which afterwards he became so notorious, appears, even at this early period of his life, to have struck his fancy; and although the extent of his trade was limited, by reason of his want of the necessary capital to carry it on, his purchases being confined to the produce of the robberies of area sneaks and young pickpockets, he acquired much celebrity amongst his fellows in the same business.

After some time, from some unexplained cause, he quitted this mode of life, and joined a gang of thieves associated at the west end of the town. Always avaricious, he was guilty of unfair play even among his "pals," and the old adage of "honour among thieves" was set at nought by him in his division of the spoil which he obtained in the course of his daily exertions. For this breach of good faith he was expelled the community, and he determined upon making an effort in his own behalf—single-handed. His good fortune now forsook him, and, after a very short practice, he was taken into custody for stealing a "dumby," or pocket-book. This was the first occasion on which he had any reason to fear the consequences of his numerous thefts. In the city, according to his own account, he had been frequently in custody, but had escaped by feeing the officers! but his

Digitized by Google

apprehension having now taken place in "the county," as it is usually denominated, or beyond the city bounds, he knew that he stood little chance of escaping by such means.

For this offence he was tried at the Old Bailey in the year 1807, being then twenty-two years of age; and a conviction having followed, he was sentenced to transportation for life. He was removed to the hulks at Chatham, preparatory to his being sent to one of our penal colonies, but, by good luck, was permitted to remain in England, in the hope that he might reform. His uncle, it appears, was a slop-seller at this port, where he carried on a considerable, and, it was believed, a respectable trade. Through his instrumentality his nephew was retained in his native country; and, after six years, the fortunate Ikey obtained a pardon. A circumstance occurred, however, in reference to this event, which is worthy of notice. Ikey was not the only person of the same name who had been guilty of an offence against the laws of *meum et tuum*, confined on board the same hulk. His equally unfortunate namesake, in the year 1813, by the exercise of influence, succeeded in obtaining a remission of his sentence, and a pardon and order for his discharge were sent down to Chatham. By an error, either of accident or design, but which it was we have no means of deciding, our hero was discharged instead of the person really intended. His surprise and gratitude at this unexpected favour induced him, on his return to London, to proceed to the Home Office to express his thanks for his liberation; but here, to his dismay, he was informed that there was some mistake—that he was not the person intended to be pardoned, and that he must return to his ship. He had prudence enough to do that at once, which he knew he would be compelled to do eventually; but the circumstance operated so much in his favour, that in three months afterwards a genuine pardon in his name was received, which once again sent him to perform his part upon the stage of life.

His first employment was to all appearance an honest one. He was engaged by his uncle at Chatham as a barker, or salesman; and, in the course of a couple of years, he realised a sum of 150*l.*, with which he determined to start in business for himself. He therefore proceeded to London, and in a short time we find him possessed of a house and shop in Bell-alley, Winfield-street. He lost no time in renewing his acquaintance with some of his former associates, and he found that many of them, who had escaped the fangs of the police so long, had now become expert thieves, or experienced housebreakers. His old trade of a "fence" appeared to him the most profitable, and, at the same time, the best in every other respect, in which he could embark, and his desire to deal in stolen goods was soon circulated among his connexions. For this business his general knowledge admirably adapted him, and he speedily obtained as much business as his small capital would enable him to get through. As every transaction, however, increased his means, so his sphere of action became more extended, and ere long he was engaged fully in every species of business which came within the usual course of persons engaged in the same profession. Forged notes, or "queer screens," as they were called, afforded him means of speculation, which produced the most profitable results; but the danger of carrying on this branch of his trade, arising from the vigilance of the officers employed by the Bank of England for its suppression, at length determined him to give it up, and to confine his operations

Digitized by Google

to that which he looked upon as a safer game, the purchase and disposal of the produce of the robberies of his friends.

In this line he was probably one of the most successful in London. Every year afforded him new opportunities of extending his connexion, and the profits which he obtained were enormous. His house was looked upon as the universal resort of almost all the thieves of the metropolis; but so cautiously and so cunningly did he manage his transactions, as to render every effort of the police to procure evidence of his guilt unavailing. His purchases were, for the most part, confined to small articles, such as jewellery, plate, &c., and in his house, under his bed, he had a receptacle for them, closed by a trap-door, so nicely fitted, that it escaped every examination which was made. In the space between the flooring and the ceiling of the lower room, there were abundant means to conceal an extent of valuable property which was quite astonishing.

Solomon's trade was now at its height, and he found that one house would be insufficient to contain all his property. He had been married some years before to a person of the same persuasion with himself; but it appears that constancy was not one of the virtues of which he was able to boast. It suggested itself to him, therefore, that while a second house would enable him to secrete a considerable quantity of additional property, he might also hide there from his wife a new object, to whom his affections had united him. With these double views, he took a house in Lower Queen-street, Islington (unknown to his own family), in which he followed out the plan which he had laid down for his guidance. The lady and the valuables were placed in it.

At about this period, however, a very extensive robbery of watches and jewellery took place in Cheapside, in which there is no doubt Solomon participated, in the character of receiver. The excitement produced by the occurrence raised considerable alarm in his mind lest he should be discovered and apprehended, and he determined on a trip to Birmingham, in order that the affair might blow over. During his absence, his wife, whose jealous animosity had been excited by his frequent absence from home, discovered his Islington retreat, and her anger, as may be supposed, was not expressed to him in the gentlest or most becoming way upon his return.

This discovery, and the still pending investigation of the circumstances of the robbery in Cheapside, created so much alarm in his mind, that he determined to emigrate to New South Wales, taking with him all his property. His arrangements were commenced, but his wife, whose fears pictured to her the sailing of her husband with her rival, and her own abandonment in England, most strongly opposed the plan. Ikey, however, persisted in carrying out his expressed intention, when his apprehension at his Islington abode effectually prevented the fulfilment of his plans. The charges preferred against him were those of receiving stolen goods, and Ikey was committed to Newgate for trial. Property, it was said, to a very large amount had been seized, amongst which many articles which had been stolen were identified. Whilst awaiting his trial, a plan of escape was concocted, which was completely successful, and which was conducted in the following manner:—

It is a part of the law of the land, that every prisoner who is in custody, no matter what his offence, is entitled to apply to a judge of one of the

Digitized by Google

superior courts, to be admitted to bail. The application is made for a writ of *habeas corpus*, upon which the prisoner is taken from the prison, where he is confined, before the judge, in whose presence the matter is to be argued. Solomon's friends determined to adopt this course, and the application being made, the writ was granted, and a certain day was fixed for the argument. The prisoner, in obedience to the writ, was sent in the custody of two officers to Westminster, and as the trio passed Bridge-street, Blackfriars, it was proposed that they should have a coach. The proposition appeared to be anticipated by a man, whose vehicle was near the head of the rank, and his carriage was immediately engaged. The three men entered it, and were driven to Westminster, but when they arrived there, the judge was found to be engaged. An adjournment took place to a neighbouring public-house, and while there, Mrs. Solomon joined the party with one or two friends, and brandy and water was speedily introduced in abundance. The turnkeys were not sparing in their libations, but were interrupted in their orgies by the announcement that the judge was ready. The argument took place, the bail was refused, as it was known it would be, and a second adjournment to the public-house took place. One more glass was swallowed, and Ikey, his wife, and the two turnkeys, once more entered the vehicle. A short ride threw Smart, the head turnkey, into a species of stupor; and in Fleet-street, Mrs. Solomon was so affected by her husband's danger, as to fall into fits. Solomon entreated the under turnkey, who still remained awake, not to take him to prison, until he had set his wife down at a friend's house, and this request, being probably backed by a fee, was granted. The coach, which it is almost needless to say was driven by one of Ikey's relations, proceeded to Petticoat-lane, and there pulling up at a house, the door was suddenly opened. Ikey popped out, ran into a house, the door of which stood open, but was closed immediately after him, through the passage, into a house at the back, and again through an interminable variety of windings, until at length he was lodged in a place of security. The turnkey was almost as stupified as his fellow at this surprising disappearance of his prisoner, and Mrs. Solomon having speedily recovered from her fits, the two jailors were left to find their way back to Newgate, and to tell their tale at their own leisure. The turnkeys, it is almost needless to say, had been drugged.

This escape was so admirably conducted, that all traces of Solomon were lost, and notwithstanding the most strenuous exertions of the police, no tidings of him could be obtained. For two months, it appears, he lay concealed at Highgate, and at the expiration of that time he found means to quit the country in a Danish vessel for Copenhagen, from whence in about three months he proceeded to New York.

Ever active in "turning a penny," he was soon engaged in his old trade in forged notes, which was here carried on to a great extent. He became convinced, however, that he could make money by other means also, and he wrote to his wife, desiring her to send him a quantity of cheap watches, which he had good reason to believe would turn to good account. In this letter, according to his own statement, he charged his wife to send him none but "righteous" (honestly obtained) watches, and not to touch one which had been got "on the cross;" but it appears she did not act up to his advice, for she was found guilty of receiving a watch knowing it to

Digitized by Google

have been stolen, which turned out to be one of those which she was about to ship off to the new world to her husband, to be employed by him in his new speculation. For this offence she was sentenced to be transported for fourteen years; and, in obedience to her sentence, she was conveyed to Van Diemen's Land. Ikey, in his account of this affair, does not scruple to assert, that his wife had in truth been guilty of no offence whatever; and he seeks to confirm his assertion by relating the circumstances under which the watch was obtained. He declares that there were some persons in England who had been so enraged at his escape, as to be determined to revenge themselves upon him by every means in their power. With this view they sought to tamper with one of his relations, then in custody, in order to procure the entrapment of his wife in some supposed illegal transaction. Mrs. Solomon at this time was engaged in the purchase of the watches for her husband, and she consulted some of her friends upon the best means of procuring them. The imprisoned relation about this time was set at liberty, to carry out his scheme, and he being applied to, produced and sold to her the very watch for the possession of which eventually she was convicted. How far this is true, as regards the individual referred to, we cannot say; but we believe it to be impossible that villany so gross as that which he imputes, could be connived at by any person holding a responsible public situation in the police.

Ikey, it seems, upon hearing of his wife's misfortune, found himself the object of suspicion where he was, and he determined that he would follow Mrs. Solomon; and, having assembled the family at Hobart Town, endeavour to alleviate her sufferings. In this place he proposed to strike out some new pursuit for their support; but he never imagined that the laws of England would pursue him in the very place to which he was about to proceed as a refuge from them.

Upon his arrival at Hobart Town he lived for some time in comparative decency, having opened a general shop, which he conducted with much profit, and having also purchased a public-house, which he let to another person. But he soon found that his dreams of future security were not to be realised. An order arrived from England for his apprehension, and he was hurried off by the next vessel sailing for London, to take his trial for the numerous offences with which he was charged. He had just time to transfer his property to his son before he sailed, and at length, on the 27th of June 1830, he was once more lodged in Newgate, where he was confined in the transport yard, which was considered the most secure place in the prison.

At the following Old Bailey sessions he was indicted upon eight different charges, and his trial came on on Friday, the 9th of July 1830. His conduct throughout was remarkable for great firmness, which was increased by his being acquitted on the first and second days upon five of the indictments preferred against him. On the following Monday he was again placed at the bar, and then, on the sixth and eighth charges, verdicts of Guilty were returned. The verdict on the seventh indictment was one of Not guilty, owing to the absence of a material witness in India.

A point of law was raised as to the propriety of these convictions, and the prisoner was remanded, in order that the matter might be discussed before the superior judges. Solomon was kept in suspense during a period of ten months; but at length, on the 13th of May 1831, he received an

Digitized by Google

intimation that the opinion of the judges was against him, and sentence of seven years' transportation was passed on each indictment.

Upon this sentence he was conveyed to the hulks, and, on the 31st of May 1831, he once more sailed from Portsmouth. In obedience to an order made upon a petition which he had caused to be presented at the Home Office, he was conveyed to Hobart Town, where his family was, instead of to Sydney; and, upon his arrival at that place, he found his son still carrying on the business which he had commenced. By good conduct, Solomon eventually obtained for himself the rank of overseer of convicts, and we believe that he still retains that situation.

Some anecdotes of the mode in which he conducted his business in London will not be uninteresting, exhibiting as they do the general habits of receivers of stolen goods.

It may be admitted, as an established fact, that no man who does not possess very considerable connexions can attempt to carry on the business of a "fence" with success. An acquaintance and co-partnery with persons residing at the out-ports, and with the itinerant dealers in jewellery, travelling inland, are necessary to enable them to put off the proceeds of their dishonest dealings; for while by the former, bank notes, and other property, the identity of which cannot be destroyed, can be despatched abroad, by the latter, watches and other articles of trifling value can be distributed among towns and villages in remote districts, from which it is unlikely they will ever find their way to the great mart of London, where they can be recognised. Diamonds, and other valuable stones, may be taken out and re-set according to another fashion, while the settings are destroyed; but in most instances receivers admit no articles into their houses until they are satisfied that they cannot be recognised. In the first of these respects Solomon was amply provided with associates, and he was too good a judge in most cases to permit any possibility of detection to arise. When a large robbery was contemplated, he was always apprised of it, and the place and time were fixed at which he should go and look over its produce. The first thing he said when he met the parties was, "Now I am to offer you a price for these things; first assist in removing all the marks, and then I will talk to you." When the goods consisted of linen or cloth, every means of identification was removed; the head and fag ends being cut off, and occasionally the list and selvage, if they were peculiar. The marks on the soles of boots and shoes were obliterated by hot irons, and those on the linings were as speedily removed by their being cut out, and others placed in their stead. After this, he found no difficulty in vending every species of property which could be converted into apparel, to the numerous ready-made, and slop-shops, in which trade so many Jews are engaged. Watches of great value, which could find purchasers only in large towns, were either metamorphosed by skilful hands, or sent to the continent. If a watch were valuable for its works more than its case, the interior was soon entombed in another. A boot and shoe-maker, some years since, in Princes-street, Soho, was, in one night, robbed of his stock, value 300*l.*; the whole was carried away in sacks in coaches, and the next morning found its way, before twelve o'clock, to the premises of our hero. By threats and offers to one of the coachmen, who happened to be recognised by a servant in the neighbourhood, as having been at the door the night before, he was induced to give

Digitized by Google

information of the place to which the goods had been conveyed. The shoemaker sent a man to watch the premises, while he went to seek for two officers; the man was in time to see the goods removed to the house of Solomon. When the shoemaker and the officers arrived they entered the premises, but Ikey defied them to touch an article, so carefully had the marks been removed. The shoemaker was compelled to admit that he could not swear to them, and at once saw that he stood no chance of procuring the restoration of his goods. Solomon then said that he had purchased them fairly, but, out of mere compassion for his loss, whether the goods had been his or not, he would sell them for the price which he had paid for them. The robbed man was glad to accept of these terms, and it cost him upwards of one hundred pounds to re-stock his shop with his own goods.

Solomon was allowed to be a most ready and superior judge of the intrinsic value of all kinds of property, from a glass bottle to a five hundred guinea chronometer; how it could be disposed of, and what was the value thieves generally estimated it at. He established among the rogues a regular rule of dealing, which is continued to this day, namely, to give a fixed price for all articles of the same denomination. For instance, a piece of linen was in his view a piece of linen, whether fine or coarse; the same with a piece of print, a silver watch, or a gold one: taking the good, as he used to tell the young and inexperienced thief, with the bad *vons*. By this plan he sometimes obtained very valuable watches at a moderate rate. He, however, outbid all his opponents in the purchase of stolen bank-notes; this he was for a long time enabled to do, in consequence of his connection with Jews in Holland. All stolen bank-notes which come into the hands of those who buy them, are sent to the Continent, to pass in the way of purchases through some regular mercantile house, when they find their way, by remittances to London houses, into the Bank, where they must be paid. The price given by Solomon for large notes, was 15*s*. in the pound; and he calculated that on an average he could send them their circuit of safety for 1*s*. in the pound; thus securing for himself 4*s*. profit on each 20*s*., that is twenty per cent., and this is now the regular price for stolen notes with the London fences.

At the time of Solomon's apprehension his chief store was in Rosemary-lane, and he was reported to have had goods of the value of 20,000*l*. then collected there. A very great proportion of this property was seized, and Solomon bitterly complained of the manner in which he was deprived of his goods. A great portion of the articles were restored to their owners; but as late as the year 1832, a considerable amount was sold, which was avowed to have belonged to this notorious offender.

Digitized by Google

WILLIAM GILCHRIST, GEORGE GILCHRIST, AND JAMES BROWN.

TRIED FOR A COACH ROBBERY.

THE ingenuity of thieves has been frequently referred to in the course of this work, and many instances have been afforded by a perusal of its pages of the extreme perseverance with which the practitioners in this dishonest calling carry on their proceedings. In the case of Huffey White a striking instance is afforded of the laborious determination of men, whose object was to rob the Glasgow bank; in the instance with which we are now about to present our readers no less ingenuity and determination are exhibited than by that case; and the daring effrontery with which the robbery, the circumstances of which we are about to detail, was committed, must strike them with astonishment.

It was on Thursday, the 24th of March, 1831, that this most impudent robbery was committed; and the circumstance of its occurrence was first notified to the public in a Glasgow newspaper in a paragraph, of which the following is a copy, which being compared with the real facts of the case as they were proved at the trial, will sufficiently inform our readers of the remarkable measures adopted by thieves at this time, first to commit robberies, and then so to conceal the real circumstances attending their commission, as to mislead the public and the police as to the persons, or even the description of the persons concerned in the depredation:—

"Another of those dexterous tricks in abstracting a bank parcel from one of the public coaches was on Thursday week successfully practised in a somewhat novel manner. The following is an account of the transaction:—The parcel in question, which contained notes and gold to the amount of 5,700*l.*, had been entrusted by the Commercial Bank's branch in Glasgow, to be forwarded to the head office in Edinburgh, by the Prince Regent coach, which left Glasgow at noon on the Thursday. The parcel had been put into a tin box, which was, as usual, placed in the boot of the coach, but was missed by the coachman who drives the last stage. It was then found that the stuffing inside had been cut, and a hole made in the body of the coach by piercing it first by a brace-bit, and then cutting out the piece with a saw, by which means the thieves got at the box, which they forced open and rifled of its contents. The paper in which the parcel was packed, with part of one of the notes, were left. After committing the robbery, in order to elude observation, the lining of the coach, which had been cut, was pinned neatly together. We understand that the whole of the inside seats had been taken in Glasgow, four in the name of Mrs. Gordon, and two in the name of Mr. Johnston, but no inside passengers came forward when the coach started. When about three miles from Glasgow, however, two passengers, a man and a woman, were taken up, who continued to travel with the coach until within three miles from Airdrie, and no suspicion was raised against them when they left the conveyance. The notes were principally of the Commercial Bank, and consisted of 20*l.*, 5*l.*, and 1*l.* notes. A number of them had blue borders of a peculiar description, not generally in circulation, and which will easily be detected. It is said there were about 300*l.* in gold. Immediately on the intelligence of this daring robbery reaching Glasgow, an officer, accom-

Digitized by Google

panied by one of the gentlemen of the Branch Bank at that place, set off in the direction of Airdrie in search of the robbers, but hitherto without success. The driver of the coach is quite unable to give any account of the appearance or dress of the man and woman who were in the coach; but we believe the passenger who assisted them out, has been able partially to furnish one." The latter part of this paragraph is peculiarly worthy of notice, for it turns out that Brown was the outside passenger, and he, no doubt, affecting ignorance of the persons within, endeavoured to gull the police by giving an erroneous description of the thieves.

A long and searching inquiry into all the circumstances of the affair took place, and at length, through the arduous and persevering exertions of the Glasgow police-officer named Nish, the three prisoners whose names head this article, together with a man named Simpson, were committed for trial.

During the period which intervened before the inquiry took place before the High Court of Justiciary at Edinburgh, the investigation which had been commenced was carried on by Mr. Nish; but the main evidence at the trial was that of Simpson, who was admitted a witness against his accomplices.

The trial came on at Edinburgh on Wednesday, July the 14th, 1831. It was then proved that the prisoner George Gilchrist was a coach-proprietor residing on the road between Glasgow and Edinburgh; and that being aware of the frequent transmission of money by the coach from one place to the other, he formed the design of abstracting the parcel containing it from the boot, and carrying it off. He communicated his object to his brother, and to Brown and Simpson, as well as to two other persons who were to assist them. The parcel of the 24th of March was fixed upon to be attempted; and in order to render their operations secure from observation, the whole of the inside of the coach was taken for the use of the party.

On the 24th of March, William Gilchrist and Brown started from Glasgow on the outside of the coach, and about two or three miles from that place they met with George Gilchrist and Simpson, whom Gilchrist had hired to assist him. George Gilchrist was dressed in female apparel, and Simpson carried a small basket, which contained centre-bits and other instruments of that description. Simpson, on his examination said, "When they got into the coach they put up the windows, when Gilchrist took off the straw bonnet and shawl, and took out the tools; he then ripped up the cloth of the coach, and bored five holes horizontally with the brace and bit; the place between the holes was cut with a chisel; they then attempted to cut the tin box with the chisel, but finding they could not do so, they pressed the lid up with a chisel, and in doing this raised up the lock. They took out two parcels of notes and a packet, which, from its weight, he supposed was gold. They left some parcels in the box, which he believed were bills, and put some of them under the cushion. Having effected the robbery, they pressed the lid of the box down, and it then had the same appearance as if locked. He put part of the notes and gold about his person, and Gilchrist put the rest about him, and again put on the bonnet and shawl. All this occupied about an hour. When at Airdrie, he heard some one say, 'John, get on, remember the opposition.' William Gilchrist said it was Brown that said so, and that he would drive on if he saw any

Digitized by Google

danger. Gilchrist said to witness that no one should get into the coach, and he would keep one side, and directed witness to keep the other; that they would get out in about a mile and a half; and that witness should look out of the window, and Brown would see him: this, he believed, was a signal that all was right; and he thought Brown observed him look out. He was desired by Gilchrist to call out to stop at the first entry on the left hand. The coach stopped at the place, and Brown came down and opened the door, and said to the coachman, 'John, I've got half-a-crown for you.' When they came out, witness carried the basket, and the coach immediately drove off. He and Gilchrist proceeded down the avenne about half a mile, and went into a planting. He saw a man coming down the avenue, when he told Gilchrist, who said he was a friend. The woman's clothes were put into the basket, and Gilchrist put on his own clothes. All the money was put into a silk handkerchief."

The trial continued until twelve o'clock on Thursday forenoon, when the jury unanimously found George Gilchrist Guilty of the charges; by a plurality of voices the libel Not Proven against James Brown; and unanimously finding the libel Not Proven against William Gilchrist. The lord justice clerk then passed the awful sentence of death on the prisoner, George Gilchrist, and ordered him for execution on the 3rd of August.

The prisoner, however, subsequently made communications to the officers of justice, in consequence of which a great portion of the stolen property was recovered, and his punishment was commuted to transportation for life.

JOSEPH PLANT STEVENS.

TRANSPORTED FOR ROBBERY.

This fellow was one of the class called "magsmen." The robbery of which he was convicted sufficiently explains the name, and affords a good specimen of the arts of London sharpers. The trick to which he resorted has now become very stale, and is sufficiently notorious; but flats are still to be found who foolishly submit to be robbed with their eyes open in the same manner.

At the Surrey sessions, on the 25th of May 1831, Joseph Plant Stevens was indicted for stealing 30*l.* from the person of Thomas Young, a farmer and hop-grower of Sevenoaks, Kent.

The prosecutor, who was an elderly man, stated, that being in town in the previous month of April, as he was proceeding along Bishopgate-street, he was accosted by a well-dressed young man of diminutive stature, who asked him if he was not a hop-grower out of Kent. The reply being in the affirmative, the stranger and he then entered into conversation, which turned to politics; and after discussing the then all-absorbing Reform question, they proposed to call at the Three Tuns, in the Borough, near which tavern they had now arrived, to have some gin-and-water. During the time they were drinking it, the young man spoke of the respectability of his own family, saying that he was a native of Brighton, and that he had come up to London to make some inquiries respecting a rich relative, from whom he had expectations. While sitting in the room conversing on the subjects alluded to, the prisoner walked in, and, seating

Digitized by Google

himself at the same table with them, called for a glass of brandy-and-water. He affected to be a stranger; and after sipping a little of his liquor, he began to talk on the question of Reform. Having passed a high eulogium on the king and his ministers, he began to talk about himself, and commenced by saying that he was a very lucky fellow, a chancery suit having been just decided in his favour; adding, that he had 800*l.* then in his possession, and that he had fallen into 800*l.* per annum by the decision of the court. The farmer perceiving him take a roll of what appeared to be bank-notes out of his pocket, advised him strongly to put up the money again, telling him at the same time that London was infested with sharpers, and that if he did not take great care, he would assuredly be "choused" out of it by some of the knowing ones, who lurked about in all quarters in search of their prey. The prisoner spoke in a broad country dialect; and after the farmer had given him the advice just mentioned, the short young man, who no doubt was in league with the prisoner, said to the latter, "This is a nice steady old gentleman, and I think the least you can do is to present him with a gown-piece for his wife, as some acknowledgment for his good advice." The prisoner at once assented to the proposition, and, taking a sovereign out of his fob, said, that he thought it better to give the farmer a guinea for his wife, and that she could then please herself as to the pattern. The prisoner desired the farmer to give him his purse, in order that he might place the guinea with the rest of the money. The farmer very foolishly did as he was required, and the result was, that the prisoner, by a dexterous movement, slipped some tissue-paper into the purse, in lieu of six 5*l.* notes which had been previously there; and so skilfully was the trick managed, that the farmer never dreamt that he had been robbed, until some time afterwards, on visiting Mr. Stevens, a hop-factor, in Union-street, when recounting to that gentleman the kind treatment he had experienced at the Three Tuns, the discovery of the tissue-paper being substituted for his Bank of England notes took place.

The jury found the prisoner Guilty; and after the verdict was delivered, it was stated to the court, that a poor man from Oxfordshire was then in court, who had been robbed by him in the November before under similar circumstances.

The chairman said there was no doubt the prisoner was one of a gang of thieves who had recently committed many robberies of this description; and as it was necessary to make an example in this instance, the sentence of the court was, that he should be transported for life.

We are sorry to be unable to afford any account of the previous career of this fellow; but whatever may have been his conduct antecedent to the period of his conviction, there can be no doubt that in this instance he received no more than the just punishment for his crime.

Digitized by Google

WILLIAM KING.

IMPRISONED FOR ROBBERY.

THE offence of which this man was convicted, was attended by a fraudulent misrepresentation of his character, which we should have imagined would have made him a fit object of severe punishment.

At the time of his conviction he was fifty-two years of age, and appeared to be a person of some respectability. He, however, declined giving any account of himself.

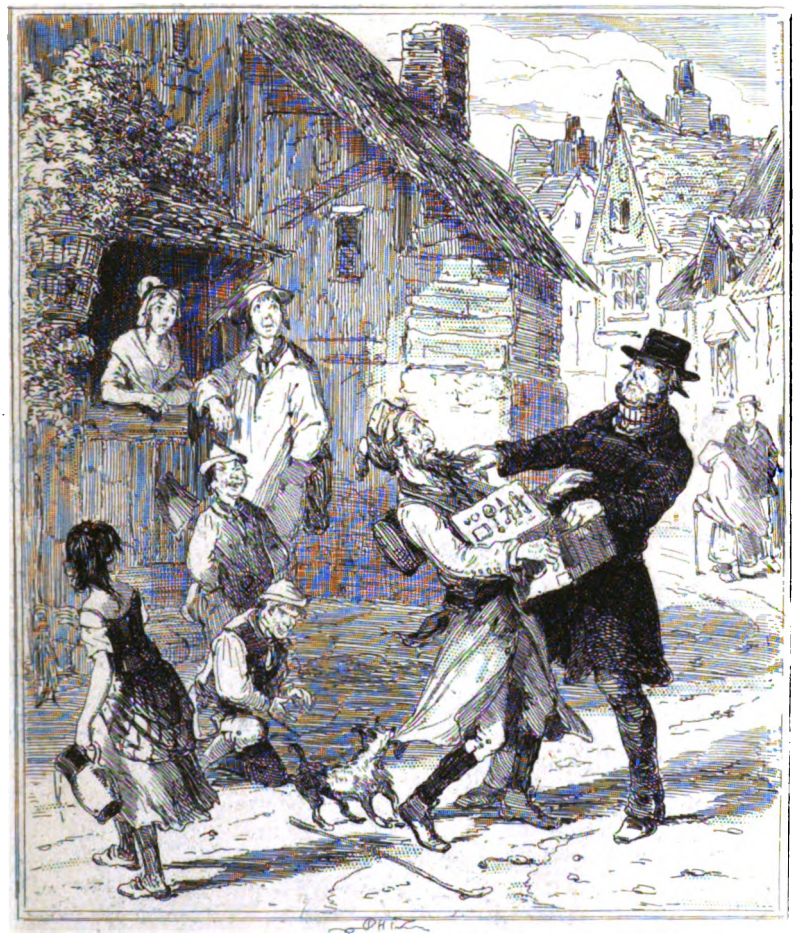
He was indicted at the Bridgewater assizes, on the 7th of August 1831, for assaulting Elias Cashin upon the king's highway, putting him in fear, and taking from his person and against his will a box containing twenty-four gold seals, forty-five brooches, and a variety of other articles of jewellery.

The robbery was alleged to have been committed at Huntspill, on the 10th of March, and Cashin, who was a member of the Jewish persuasion, stated, that on that day he was offering his wares for sale at Huntspill, when the prisoner came up to him, and representing himself to be an inspector of pedlars' licences, demanded to see his licence. He admitted that he had none, upon which the prisoner seized his box containing his jewellery, and took him by the collar, saying, that he must accompany him to a magistrate's. They went together to the house of a Mr. Rockett, where the prisoner behaved with much violence, in consequence of which Cashin rung the bell. Young Mr. Rockett appeared, who said that his father was not at home, and the prisoner then desired the Jew to meet him on the next day, at the house of a Mr. Phippen, another magistrate, residing at a short distance off. Cashin begged for his box, but the supposed inspector refused to give it up, and the poor Jew was at length compelled to go away, leaving his property in the hands of the prisoner.

On the next day he was faithful to his appointment, but neither the prisoner nor his box was to be seen; and Cashin added, that he could never meet him afterwards, until a short time before the trial, when he accidentally ran against him in Bristol. He now, in turn, became the assailant, and seizing the prisoner by the collar, demanded his box. He at first denied all knowledge of him, but then finding that the Jew was determined to take decisive steps against him, said that he had been robbed of it himself. Cashin, however, called in the aid of the police, and upon the prisoner being searched, a pair of spectacles was found upon him, which had been in the box, when he had carried it off.

The jury at once declared the prisoner guilty, but of the mitigated offence of larceny only, negativing the capital charge; and he was sentenced to twelve months' imprisonment.

Digitized by Google



Digitized by Google

Digitized by Google

MARY ANNE HIGGINS, AND EDWARD CLARKE.

TRIED FOR MURDER.

THE trial of these prisoners, which took place at the Warwick assizes, on the 9th of August, 1831, excited the most intense interest in the county in which it occurred, owing to the peculiar circumstances under which the crime, with which they stood charged, was committed, and the relative position of the persons accused, and the deceased. The female prisoner, Mary Anne Higgins, was rather a good-looking girl, with a fresh complexion, and pleasing, though un-intellectual expression of countenance, and her appearance produced almost universal sympathy. Clarke, however, was the object of very different feelings; and although previously to the trial his guilt was involved in much doubt, the indifference which he exhibited on being introduced to the dock, procured for him a very unfavourable consideration amongst the crowd of persons assembled.

The indictment charged that the prisoners had been guilty of the wilful murder of William Higgins, at Coventry, on the previous 22nd of March, by administering to him three drachms of arsenic. In a second count Clarke was charged as an accessary to the murder, by aiding and abetting Higgins in its commission. Clarke was twenty-one years of age, and his fellow-prisoner only nineteen years.

Upwards of forty witnesses were called, and the investigation lasted from nine o'clock in the morning until an advanced hour in the evening; the material facts of the case, however, as elicited from the evidence, may be stated in a comparatively small compass:—

William Higgins, the deceased, was a man in an humble station of life, who had saved a little money, upwards of 100*l.* of which he had placed out at interest. Upon the death of his only brother, who left four or five children behind him, the deceased, being unmarried, took one of the children (the female prisoner) to live with him, and reared her as he would his own child, intending also to leave her the little money he possessed at his death.

About the beginning of the year 1831, a courtship commenced between the girl and the prisoner Clarke, who was an apprentice at the watch factory of Messrs. Vale and Co. at Coventry, in the course of which he evidently acquired considerable influence over her mind. He was observed, in the months of February and March, in the possession of more money than usual, including one or two golden guineas, a denomination of coin of which the deceased's savings were supposed principally to have consisted; and he boasted, on more than one occasion, that he had only to go to the old man's house whenever he wanted money.

On Tuesday, the 22nd of March, the female prisoner went into a druggist's shop, and asked for two-pennyworth of arsenic to destroy rats. The young man in the shop told her that she could not have it except in the presence of a witness; upon which she went away, and did not return. She afterwards went to another shop of the same description, and made a similar application, to which she received the like answer. Upon which she observed, that she did not know what she was to do, as she came from

Digitized by Google

the country. She added, however, that she had a sister residing at Coventry, and she would go and fetch her. She then left the shop, and, when passing through Spon-street, she met a girl named Elizabeth Russell, who told her that she was going to the factory (Vale and Co.'s); upon which the prisoner said, "Just come with me as far as Messrs. Wyly's, the druggists, and I will then accompany you to the factory." Elizabeth Russell asked her what she wanted at the druggists'? To which she replied, that she wanted some arsenic to destroy rats. The girl then accompanied her to the druggists', where she received the arsenic in her presence, with a label upon the paper having the words, "arsenic, poison," printed on it. She inquired of the shopman how she was to use it, in order to destroy the rats; and he told her she might mix it up with some bread, or some substance of that kind. She then left the shop, and on going into the street she tore off the label, saying at the same time to the other girl, "What has he stuck this on for?"

They walked as far as the factory, which they reached just as the men were coming out of it to go to dinner, it being then about one o'clock in the day; they here parted, and the prisoner Higgins was joined by the prisoner Clarke, who walked with her towards her uncle's house; a waggoner who was passing along the street shortly afterwards, observed Clarke entering the uncle's house, and the niece the next moment closing the door, which Clarke had left open, after him.

At two o'clock Clarke returned to his work at the factory, and remained there until eight in the evening; about nine he was observed standing at the entry which led from the deceased's house to a yard where there was a certain convenience, from which the old man was seen apparently returning. The niece was also observed standing at the entry. Whilst the old man was in the yard, a particular kind of noise was heard, and the place afterwards exhibited the appearance of a person having been vomiting there.

At about one o'clock at midnight the female prisoner knocked up an old woman named Green, who lived a few doors off, and implored her, for God's sake, to come to her uncle, who was taken very ill. Mrs. Green accordingly got out of bed, put on her gown, and followed her to her uncle's. On her way, Mrs. Green was met by a man, who, when passing by Higgins's door the moment before, heard two voices, as he thought, in the house; but could not tell whether they were male or female voices, or the voices of a male and female. Upon Mrs. Green going in, she found the deceased lying upon his niece's bed, with his head resting on his left hand, in the attitude of a man who had been vomiting. Upon going up to him, she thought at first she heard him breathe, but found, when she stirred him, that he was stiff. She called to him, but received no answer. Observing some water on the floor near the bed, and knowing that the old man had been subject to a complaint which she called the water-swamp, she proposed going down stairs and making some tea for him. She and the niece went down accordingly, and, while below, the latter said, "Oh! I hear my uncle groan."

They immediately returned to the room, but on Mrs. Green again going to the bed, she found that the old man was dead; and also concluded, from a more particular examination of his body, that he must have been dead for at least half an hour. The niece wept bitterly, exclaiming, "Oh my dear uncle! my dear uncle! now he's gone, all my friends are gone!" She

Digitized by Google

told Mrs. Green that she and Edward Clarke were to have been married on Easter Monday, and that had it not been for her poor uncle's death, they were all to have had a jovial day of it. She said that they must still be married, however, on that day, as she was in the family way; that she would put on mourning for her uncle, but put it off on the day of her marriage, and then resume it again, it being unlucky to be married in black. The statement of her being in the family way was untrue.

In answer to previous inquiries from Mrs. Green, she said that her uncle had had some pea-soup for supper; that he had been taken very ill, and gone to bed; that after she had retired to her own bed, her uncle came into her room, and becoming very sick, she got up, and placed him on her bed. Mrs. Green observed the bed in the deceased's room very much tumbled, as if by a person who had been tossing from side to side in great pain. There was also a quantity of water on the floor, with two little lumps of bread in it, which appeared to have been discharged from the stomach. Some other of the neighbours being called in to assist in laying out the deceased, Mrs. Green went away.

In the course of the morning, between six and seven o'clock, another neighbour, a Mrs. Moore, called, and, on seeing the niece, asked if it was true that her uncle was dead? She said it was, and that she was then going out to purchase mourning. She went out accordingly, and when she was gone, Mrs. Moore, seeing the place in a state of confusion, set about putting the things to rights. On going into the pantry, she perceived a basin on the shelf about three quarters filled with pea-soup. She took it to the window, and stirred it up with a spoon that lay in it; upon which she perceived that it was of a whitish colour and thick substance, different from the usual appearance of pea-soup. She replaced it on the shelf, and then examined another basin containing a similar quantity of pea-soup, which, however, was of the usual yellow colour, and of the ordinary substance. This basin she also replaced on the shelf, and said nothing until the niece returned, when she asked her the cause of the different appearances of the two soups; to which the latter replied, that she had thickened one with flour, and the other with oatmeal.

Mrs. Moore's suspicions having been excited, she gave the soup into the charge of a carpenter who had come to measure for the coffin, who locked it up in the room in which the corpse lay. A surgeon was then sent for, who opened the body, and found the coat of the stomach extremely vascular and red. He also found within the stomach a pint and a half of fluid, which he put into a bottle, and which he sent, together with the basins of soup, in a basket, to his surgery, for the purpose of having them analysed. The fluid taken from the stomach was afterwards submitted to several chemical tests, in the presence of four or five professional gentlemen, all of which led to the same result—namely, that it was impregnated with arsenic. The pea-soup was not analysed, but was given to a dog, which immediately threw it off its stomach, and consequently survived it.

When the female prisoner was taken into custody by an officer named Gardiner, she was questioned on the subject by him, in a manner which was severely reprehended by the learned judge, and excited a feeling of strong indignation in the minds of every person in court, including the learned counsel on both sides. She told him, in reply to his questions, first that she had not purchased any arsenic; and on his saying that

Digitized by Google

Elizabeth Russel could prove that she had, she admitted it, but said that she had only used it to destroy rats, and that one lay dead under a particular chair. A dead mouse was found under that chair; but on its being opened, there was no appearance of inflammation in the stomach, which there must have been had it died from having swallowed arsenic. She also denied having any money in her possession; but on being searched, a box was found in one of her pockets, containing five guineas; another box contained three; and in a purse were one guinea, a half-guinea, and a seven-shilling piece. Gardiner, afterwards, when conveying her to prison through the street, no other person being present, said to her, "How could you be over-persuaded to do such a thing?" to which the unfortunate girl replied, that she had not been persuaded by any person, she had done it herself. She said she had put two tea-spoonfuls of arsenic into a basin, and poured the soup over it, and then gave it to her uncle.

There were no circumstances in the case, as against Clarke, to lead to a positive conclusion that he had been aware of the poison having been put into the soup, or of its having been purchased at all.

When called on for his defence, he put in a written address, in which he principally dwelt upon the vagueness of the evidence adduced against him, and asserted his innocence of the crime with which he stood charged. The female prisoner merely said she was innocent, and left the rest to her counsel. Several witnesses gave Clarke a good character; but none appeared for Higgins.

The learned judge summed up the case to the jury with the most anxious care and minuteness.

The jury, after deliberating for about five or six minutes, returned a verdict acquitting Edward Clarke, but finding Mary Anne Higgins Guilty.

The learned judge then, in the usual form, sentenced the wretched girl to be executed at Coventry, on Thursday, and her body to be dissected.

Throughout the whole of the trial the unhappy girl appeared to be sensibly affected by the position in which she was placed; and during the period occupied by the learned judge in passing sentence, she wept bitterly. Upon being removed from the bar, her lamentations were of the most piteous description, and she appeared deeply to deplore the death of her uncle, and the crime of which she had been guilty.

The wretched convict, during the short period intervening between her trial and execution, conducted herself in a becoming manner, and made no efforts to excuse her unnatural conduct. She declined, however, to make any statement accounting for the dreadful deed; but there can be little doubt that her object was to prevent her uncle's discovery of the robberies, of which it was perfectly evident she had been guilty, upon him. At the place of execution she appeared to be sincerely repentant, and prayed with great devotion.

She was executed at Coventry, on the 11th of August, 1831.

It has been frequently observed with great truth, that secret poisoning is one of the worst of crimes; because it is an offence against which even the most wary can provide no safeguard. In the case the particulars of which we have now laid before our readers, one is at a loss to account for

Digitized by Google

the crime of which the wretched convict was guilty; and no less must we be surprised at the means taken by the unhappy girl to secure her object, than at the circumstance of a person in her position, with regard to her victim, engaging in so fearful a transaction. Poisoning is universally looked upon as a crime of peculiar atrocity; but the following anecdote will exhibit the diminution of the frequency of its occurrence in recent years.

In the year 1670, the Marchioness of Brinvilliers, a lady of noble family, resided in Paris. An officer named St. Croix, of good family but ruined reputation, having formed an intrigue with her, her friends procured his confinement in the Bastille, where he acquired from some Italians the art of compounding poison. On his liberation he hastened to the marchioness, and imparted to her his acquisition, as a means of revenging themselves, and of bettering their ruined fortunes. She eagerly entered into his views, and carried on the horrid trade with a diabolical activity. Her husband, father, brothers, and sister quickly perished. She is said to have disguised herself as a nun, and distributed poisoned biscuits to the poor, in order to try the efficacy of her poisons. Her career was cut short by an accident. A glass mask which St. Croix wore while preparing his poisons fell off, and he was found suffocated in his laboratory. A casket was also found there, which was directed to Madame Brinvilliers, but opened by the police. It contained poisons sufficient to destroy a community, labelled differently, according to their effects, as ascertained by experiments on animals. St. Croix's servant was seized, tortured, and confessed the crimes of his employers, in which he had aided. The marchioness escaped, but at last was captured; and having undergone the torture with inflexible courage, was beheaded. On her person was found a full confession and detail of her horrible crimes. This punishment did not put a stop to the crime of poisoning in France, which was very common between the years 1670 and 1680.

EDWARD HOGSDEN.

EXECUTED FOR RAPE.

HUMAN nature itself must be startled at the horrible crime for the commission of which this wretch was executed. The depravity of mankind appears in him to have met with one of its fittest and most atrocious representatives.

He was indicted at the Croydon Assizes, on Wednesday the 10th of August, 1831, for a rape upon Harriet Hogsden, his own daughter, a girl only seventeen years of age.

The evidence of the prosecutrix even placed the transaction in a blacker light than that in which it had previously stood. The prisoner and his family, consisting of his wife, the witness, and a younger sister, resided on Ashtead Common, in the county of Surrey; and so many of them as were able to work had employment on the farm of Mr. Haggett, in the neighbourhood. On the 27th of July, the prisoner's wife and youngest daughter went at four o'clock in the morning to work, the prisoner having been out

Digitized by Google

all night. At six o'clock the prisoner came home and found the prosecutrix alone in the house. He then committed the fearful crime which was alleged against him, under circumstances of an appalling nature, which it would be impossible to repeat. The girl implored him to desist, and used every exertion in her power to repel his vile attack, but in vain. The presence of an infant—the offspring, as the girl swore, of a former forced connexion with her unnatural parent—had no effect in inducing him to desist, but only brought down oaths of vengeance if she dared to say one word of what occurred. The girl immediately sent for her mother and informed her of the dreadful scene which had been enacted; and the prisoner was, in consequence, taken into custody.

The prisoner, in his defence, strove to elicit from the girl that she had had an acquaintance with a packman, who was the father of her child, and that he had found him in bed with her on the morning in question, but without effect; the girl swore that she had never been intimate with any man except her father!

The wretched man then adopted a new line of defence, declaring that the girl was not his daughter; but this too failed, and at length the villain, driven from his second standing-place, asserted boldly that his daughter had been a consenting party to all that had occurred.

In a written defence which he put in, he endeavoured to persuade the jury that the charge had been trumped up by his wife and the prosecutrix, because they wanted to get rid of him; and urged that it was unlikely that he should be guilty of such a crime at such a period, when he had been up all night watching his mother's grave, where her remains had only been interred the day before; a fact which on inquiry turned out to be true.

The jury unhesitatingly returned a verdict of Guilty, and the prisoner was immediately sentenced to be executed; a sentence which was carried out on Monday, the 21st of August, 1831; when the miserable convict admitted the justice of his punishment.

We shall abstain from adding any further account of the life of this diabolical ruffian, exhibiting as its circumstances do a degree of sinfulness and crime not exceeded by any of those bloodthirsty murderers whose offences it is our duty to describe.

At his execution, as during his trial, he exhibited the most callous indifference.

JOHN AMY BIRD BELL.

EXECUTED FOR MURDER.

Our readers will be astonished when they learn that this wretched malefactor, at the time of his execution, had attained the age of fourteen years only; but the circumstances of the bloody tragedy in which he was the chief actor show him to have been fully deserving the fate which befel him

He was indicted at the Maidstone assizes on Friday, the 29th of July, 1831, for the wilful murder of Richard F. Taylor, a boy aged only thirteen years, in a wood in the parish of Chatham.

Few cases had ever produced a greater degree of interest in the county

Digitized by Google

of Kent than that of this wretched culprit, and his still more unfortunate victim.

From the evidence it appeared that Taylor was the son of a poor man of the same name, a tallow-chandler, living at Stroud. On Friday, March the 4th, the little fellow, who was described as having possessed peculiar intelligence and an amiable disposition, was despatched to Aylesford to receive a sum of 9*s*., the amount of a weekly parish allowance to his father. He was dressed at the time in a "south-wester," with a belcher handkerchief round his neck, blue jacket and waistcoat, brown trousers, and shoes and stockings; and his father, at his request, lent him a knife, with which he expressed his intention to cut a bow and arrow on his way home. The boy arrived safely at Aylesford, when Mr. Cutbath, the relieving officer of the parish, gave him the usual amount of 9*s*. The boy had before been instructed by his father as to the mode of carrying the money, and the little fellow had shown him how completely and how securely he could conceal it, by putting it into a little bag, which he could carry in the palm of his hand inside a mitten which he wore; and on this occasion he was observed to place the silver in the customary manner in his hand. He usually reached home at about three o'clock, but on this afternoon he did not return. As night advanced his father became alarmed at his absence; and on the next morning he determined to go himself to Aylesford, for the purpose of making inquiries for him. The fact of his having received the money was ascertained; but all search for him proved unavailing, and his parents were left in a most painful state of doubt as to the cause of his sudden disappearance.

Several weeks passed without any circumstance being disclosed at all calculated to calm their apprehensions; and it was not until the 11th of May that the real fact of the murder of the unhappy boy was discovered. On that day a man named Izzard was passing through a bye-path in a wood situated at a distance of about two miles from Rochester, and about thirty rods from the high road,—a spot which lay in the road from Stroud to Aylesford,—when he found the body of the boy lying in a ditch. The mitten was cut from his left hand, and his clothes were disarranged as if in a scuffle; and although the body was so much decomposed as to prevent his being able to discover by what means his death had been produced, the remains of blood upon his shirt, coat, and neckerchief left no doubt of the dreadful death which he had suffered.

Information of the discovery was at once conveyed to the parents of the boy, who lost no time in proceeding to the spot; and a surgical examination of the body took place on the ensuing day. Mr. Seaton, a surgeon, conducted this inquiry; and the result was an expression of his undoubted opinion that the deceased had died of a wound which had been inflicted in his throat with a sharp-pointed instrument, the mark of which was still visible, notwithstanding the extreme decomposition of the surrounding flesh, which could not have been inflicted by the deceased himself, unless by the exercise of extraordinary determination and nerve.

A diligent search was immediately instituted for the purpose of endeavouring to find the instrument with which this terrible murder had been committed, and in a short time a common white horn-handled knife was found, corroded with rust, which had every appearance of being the weapon which had been used by the murderer. The discovery of this

Digitized by Google

weapon afforded some clue to the parties implicated in the transaction; and a man named Bell, and his two sons, John Amy Bird Bell, and James Bell, respectively of the ages of fourteen and eleven years, were taken into custody. These persons lived in the poor-house, nearly adjoining the spot where the murder was committed; and the information obtained by the constable, by which the knife which had been found was discovered to have belonged to the boy John Bell, afforded conclusive testimony of one at least of them having been concerned in the foul deed.

An investigation into the circumstances of the murder took place before the magistrates at Rochester, the result of which was, that convincing proof was obtained of the implication of the two boys. During this inquiry it became necessary that the body of the deceased should be exhumed, for it had been buried immediately after it had been discovered and the coroner's jury had sat, in order that the person of the boy might be searched—an operation which had been previously most unaccountably omitted. At the time of this examination being made, the two younger prisoners were taken to the grave-yard, for the purpose of observing the effect of the proceeding upon them. The elder boy, John, maintained throughout a sullen silence; but his brother James, on being desired to enter the grave and search the pockets of the clothes of the deceased, which had been buried on his person, cheerfully complied, and brought forth the knife which the father of the unhappy lad had lent him on his setting out for Aylesford. This was the only article found upon him, and robbery, therefore, it was at once seen, had been the object of his murderer.

The prisoners after this underwent another examination before the magistrates; and upon their being again remanded, the younger boy confessed that he and his brother had committed the murder—that his brother had waylaid the deceased in the wood, while he had remained at its outskirts to keep watch. Upon this the evidence of the younger boy was accepted; and the father having been discharged from custody, although strong suspicion had been excited of his having been an accessory after the commission of the crime, the prisoner, John Amy Bird Bell, was committed for trial. The statement of the younger boy exhibited a remarkable degree of depravity in the conduct of his brother and himself. He said that they had long contemplated the murder of their wretched victim, having learned from him the errand upon which he so frequently travelled from Stroud to Aylesford and back; but various circumstances had prevented the completion of their design until the 4th of March, when it was carried out by John, who afterwards gave him 1*s.* 6*d.* as his share of the proceeds of the transaction.

On the way to Maidstone, the prisoner acknowledged the truth of his brother's statement, and pointed out a pond where he had washed his hands of the blood of his victim on his way home after the murder. He also pointed to the opening leading to the spot where the murder was committed, and saying to the officer, "That's where I killed the poor boy," added, "He is better off than I am now; do not you think he is, sir?" an observation to which the constable assented. He afterwards proceeded to describe more minutely the circumstances attending the murder. He said that he had met the deceased on his way home, and had entered into conversation with him. He induced him to enter the wood; and having taken him through a great many windings, at last sat

Digitized by Google

down and declared that he had lost himself. The poor boy also sat down and began to cry, declaring that he did not know his way out; upon which he threw himself upon him and stabbed him in the throat. He had some difficulty in finding the money, but at last discovered it in his left hand, from whence he took it. He said that it consisted of three half-crowns, a shilling, and a sixpence, and that he had given the two latter coins to his brother. He added, that he wished that his brother should see him executed, for he knew he should be hanged, as it might prove a warning to him.

At the trial the prisoner exhibited the utmost indifference to his fate, and appeared to entertain no fear for the consequences of his guilt. He maintained his firmness throughout a most feeling address of the learned judge, in which he was sentenced to death, but exhibited some emotion upon his being informed that a part of the sentence was, that his body should be given over to the surgeons to be dissected.

The hardihood which he had displayed hitherto, however, deserted him when he entered his cell, and then he wept bitterly. When his mother visited him on Sunday afternoon, he accused her of being the cause of bringing him to his "present scrape." On Sunday evening, after the condemned sermon had been preached by the reverend chaplain, he made a full confession of his guilt. His statement did not materially differ from that which was given on the trial; but he added some particulars of the conduct of his victim before he murdered him, which make the blood run cold. He said that when he sprang upon Taylor with the knife in his hand, the poor boy, aware of his murderous intention, fell upon his knees before him, offered him all the money he had, his knife, his cap, and whatever else he liked—said he would love him during the whole of his life, and never tell what had happened to any human being, if he would spare him. This pathetic appeal was lost on the murderer, and, without making any answer to it, he struck the knife into his throat.

At half-past eleven o'clock on Monday morning, the solemn peals of the prison-bell announced the preparations for the execution. After the operation of pinioning had been completed, the culprit, attended by the chaplain, walked steadily to the platform. When he appeared there, he gazed steadily around him; but his eye did not quail, nor was his cheek blanched. After the rope was adjusted round his neck, he exclaimed in a firm and loud tone of voice, "Lord have mercy upon us. Pray, good Lord, have mercy upon us. Lord, have mercy upon us. All the people before me, take warning by me!" Having been asked if he had anything further to say, he repeated the same words, and added, "Lord have mercy upon my poor soul." At the appointed signal, the bolt was withdrawn, and in a minute or two the wretched malefactor ceased to exist. The remainder of his sentence was also carried out, his body being given to the surgeons of Rochester for dissection.

There were not fewer than eight thousand persons present at his execution.

Digitized by Google

RIOTS AT MERTHYR TYDVIL.

These riots, as alarming in their nature as they were distressing and mischievous in their consequences, occurred at Merthyr Tydvil, in South Wales, on the 3rd of June, 1831. The district surrounding Merthyr Tydvil was, at that time, as it is now, densely populated by persons engaged in the iron manufactories, with which that district abounds; and the alleged insufficiency of the wages was the immediate cause of the desperate riot which took place.

The preliminary to this distressing occurrence, it appears, was a turn-out, or strike, among the workmen; and the alarming manner in which these men assembled, and the threats which they held out, produced a well-grounded apprehension that violence might be done both to the persons and the property of the iron-masters. In order to meet any attack which might be made, the magistrates assembled at the Castle Inn, Merthyr Tydvil, for the purpose of devising means to meet and repel the rioters, and the result was that an application for military assistance was determined on.

A detachment of the ninety-third regiment, under the command of Major Folkes, in consequence proceeded into the town, and on the 3rd of June took up their quarters at the Castle Inn, the chief inn in the town, where the magistrates still remained assembled in consultation.

By this time, the mob had already exhibited its riotous and unlawful determination by an attack upon the Court of Requests. This court, it would appear, had become hateful to them, from its being also the place where usually offences affecting the relations of master and servant were adjudicated upon, and they demanded that the books should be given up to them. This was, of course, refused, as indeed they had been already removed to a secure place; upon which the mob commenced a most violent and determined assault upon the building. The residence of Mr. Coffin, the officer of the court, was also an object of their angry demonstrations; and the two places having been stripped of their books and furniture, a fire was immediately made of them in the street, and they were burned. The lawless and ungovernable character of the assemblage may be inferred from the fact, that many of them perished in the flames which they had themselves kindled.

This done, the rioters proceeded at once to the Castle Inn, there to give fresh proofs of their power and determination. At this time they exceeded a thousand in number, and they were loud in their demands that justice should be done them. A deputation was called in to explain their wants, who respectfully but firmly demanded an increase of wages; but the magistrates, having earnestly desired them to return to their work, pointing out to them that it was impossible that they could suffer themselves to be dictated to by a lawless mob, desired them to retire. Upon their return to their partisans they communicated what had taken place, and symptoms were soon observable in the countenances of all which denoted their determination to proceed to measures even more violent than any they had hitherto adopted.

They were addressed by several of the iron-masters present at the inn,

Digitized by Google

Digitized by Google

Digitized by Google

both in English and Welsh, but without effect, for they persisted in their demands for further wages, and declared their intention to persevere until their desires were acceded to.

At this time there was a guard of soldiers stationed at the door of the inn, the smallness of whose numbers was remarkably contrasted with the vast assemblage of the workmen. The weakness of the position of the military, in case of an attack, was at once seen, and steps were immediately taken to secure the safety of the post at which they had fixed themselves. For this purpose three men were ordered to each window, in front of the building, to be ready with their muskets, in case of necessity. Renewed efforts to procure the dispersion of the crowd were then made by Mr. Crawshay and Mr. Guest, and a long parley took place. No amicable decision was, however, arrived at, and at length, when it was least expected, a spontaneous rush was made by the people upon the soldiery, who occupied the door-way and its vicinity, whose arms appeared to be the object of the attack. The force in the street was absolutely as nothing against the numbers by whom they were assailed, and orders were given to the soldiers above to fire.

At this period a scene of dreadful conflict was witnessed. The men in the windows advanced one by one to the front to fire, and each man, before he discharged his piece, took deliberate aim at one of the most violent of the mob, whom he seldom failed to bring down. As each man fired, he fell back and re-loaded, so that there was a constant succession of discharges upon the heads of the misguided people in the street. The personal conflict below, in the mean time, was no less dreadful. The first person whom the mob had attempted to seize, was a soldier, whose back was turned to them, and his assailant was a brawny fellow of upwards of six feet in height. The musket was seized from behind, but the soldier, no less active than his antagonist, immediately turned round, still maintaining his hold of his piece, and by a dexterous twist pushed his opponent from him, and received him, on his return, on the point of his bayonet, and he fell dead at his feet. The soldier was at once felled to the ground by a blow from a bludgeon, and his gun was secured by another of the rioters. At the same moment a scene almost precisely similar occurred within two yards of the same spot. A fellow seized hold of a drummer's sword, but immediately had a bayonet run through his body, and was shot at the same moment. The muskets, meanwhile, were cracking from every window, and the street was raked from one end to the other. Many of the rioters penetrated to the interior of the house, where they committed acts of violence upon the officers of the regiment, and upon the magistrates, many of whom, in their efforts to secure these assailants, received severe contusions. The rioters exhibited a degree of determination which was truly surprising; and the position of those who were in the inn was at one time highly critical. The superior discipline of the soldiery, however, prevailed against their numbers, and at length the neighbourhood was cleared.

Upon a search being now made, it was found that thirteen of the rioters lay dead upon the ground; and the mob were seen carrying off many others, who were believed to be dead or severely wounded. The soldiers themselves did not escape injury; nearly twenty of them were wounded, exclusive of Major Folkes, who had received a serious contusion on the back

Digitized by Google

of the head from a bludgeon. One of the men had had his bayonet taken from him, and was stabbed in his side, while others were bleeding profusely from places where they had received blows or wounds from the people. The bodies which had been found in the street were conveyed to the stables of the inn—many of them only now parting with the last quivering remains of existence—there to wait a coroner's inquest; while those persons who had been secured, and who were wounded, received immediate surgical assistance.

The danger to the town, however, had not yet altogether ceased. The rioters having succeeded in escaping from its precincts, ascended the neighbouring heights, from whence they continued to fire upon the immediate vicinity of the Castle Inn with much precision. Many of them had procured fowling-pieces; while others employed the muskets which they had taken from the soldiery.

It may readily be supposed that an occurrence like this produced a very great degree of alarm in the vicinity of Merthyr Tydvil; and the assertion that men were hourly swelling the ranks of the insurgents, tended to increase the apprehensions which already existed. The magistrates, with great promptitude, summoned additional military force to their aid; and by night a body of cavalry, infantry, and militia, amounting in number to near five hundred men, was at their disposal. During the whole of the day exaggerated and alarming accounts of the proceedings of the rioters were brought into the town; and the number of rioters assembled in the evening was stated to be nearly eight thousand men, all of whom appeared to be endeavouring to station themselves at Coedycymer. A large body of troops, both cavalry and infantry, was in consequence despatched to Penydarren-house to keep them in awe, and prevent any further acts of mischief in that quarter.

This state of things continued during the whole of that night, but on the ensuing day a circumstance occurred which is worthy of notice, as exhibiting the ferocious intentions of these misguided men. Their head-quarters at this time were at Hirwain; and there two red flags were hoisted, as typical of their bloody determinations. This, however, was not significant enough in their opinion; and they actually procured a basin of calf's blood, in which the flags were soaked, and with which the standard-bearer's hands and arms were smeared on his appearing at their head. They were approaching Merthyr Tydvil with this emblem, when, however, they perceived the increased strength of the military, and prudently retired until they should procure fresh numbers.

On Sunday the rioters remained perfectly inactive; but on Monday it had been determined that a general meeting of the working classes should be held on the Wain Hill, near Dowlais, which was to include all the men engaged, not only in the local districts, but in the counties of Brecon and Monmouth, and nearly twenty thousand persons were expected to assemble.

At an early hour men were seen drawing towards that spot in every direction; and at ten o'clock it was announced that there were thousands in the road coming down to Penydarran, armed with bludgeons. The troops, now consisting of one hundred and ten Highlanders, fifty of the Glamorganshire Militia, and three hundred Yeomanry Cavalry, under the command of Colonel Morgan, accompanied by the magistrates, proceeded

Digitized by Google

to meet them; and at Dowlais the road was found filled with the dense masses. Mr. Guest ably addressed them, but to no purpose, and the Riot Act was read; still no disposition to disperse was manifested, but a determined resistance was shown and maintained. The Highlanders were at length ordered to level their muskets; but the coolness and forbearance of all parties allowed the words of command to be given so slowly, that the consideration of the consequences intervened between them, and the last word, "Fire!" became unnecessary, to the great satisfaction of all the gentlemen present. The rioters now gave way, and many returned home. Some parted on one side, others on another; but the greater part crossed the hill to the ravine in the Brecon road, where, by regular concert, all the arms were collected under the most determined and hardened of the villains; and they were observed from the tower of Cyfarthfa Castle exercising in line with the sabres and pistols taken from the cavalry, and with the mukets of the Highlanders and their own fowling-pieces. This exercising was observed to continue during the whole morning, and repeated shots were heard fired; and about twelve o'clock a scout who had been sent out brought intelligence, that two black flags were flying in the Brecon road—a symbol of the determination of the men who fought under the banner to conquer or die. Soon after this, a movement was observed among the rioters, as if they would assume an offensive position, and every preparation was made to give them such a reception as would effectually disperse them. Their march was observed, however, to be hesitating and wavering; numbers flung away their arms and returned home; and at length the main body became so disheartened that they fairly took to their heels and disappeared.

During the whole of the remainder of that evening and the next morning, the magistrates and military were exceedingly active in apprehending such men as were suspected or were known to have taken part in these disgraceful proceedings, and fourteen of the worst among them were taken in their beds. On Wednesday night Richard Lewis, who had led the attack upon the Castle Inn, was secured. He was found skulking in a wood by two men, who secured him in a low public-house until they had obtained the aid of the military, and the prisoner was escorted into the town by a body of cavalry. His appearance and demeanour were ferocious in the extreme—in which he differed materially from the other prisoners, of whom there were now near forty, all of whom admitted their fault, and ascribed the lamentable bloodshed which had taken place to their own unjustifiable attack on the military. This expression of feeling on their part was also sufficiently accorded to by the conduct of their fellows at liberty, who, without saying one word against the course which had been taken, buried their dead companions as quickly and as quietly as possible, —a sure proof that their own consciences convicted them of lawless violence. Those who had been wounded, exhibited an equal consciousness of guilt, by abstaining from seeking medical aid, until pain or inflammation rendered such a step absolutely necessary to save their lives.

In the course of the week, the greater proportion of these misguided men who were still at liberty returned to their work; while the cases of those who were in custody were disposed of by the magistrates. Several were committed for trial, who appeared to have acted as ringleaders in this dreadful affair; but the larger number were dealt with summarily, by

Digitized by Google

the infliction of the penalties of fine or imprisonment, or by their being held to bail, to be of good behaviour. Many of the muskets and sabres which had been carried off were restored; but all exhibited the greatest terror at the guilt in which they had involved themselves, and apprehensive lest they should be placed in the same position of difficulty in which their less fortunate companions were thrown.

At inquests held on the bodies of the rioters who had been killed by the soldiery, the juries returned the invariable verdict of "Justifiable Homicide;" a sufficient assurance to the country that the steps taken by the magistracy had been neither uncalled for, nor too violent.

The trials of the prisoners who had been committed for various offences of which they were alleged to have been guilty during these disturbances came on at the Cardiff summer assizes, held in the month of July.

The following sentences were passed upon those who were convicted:—

Lewis Lewis and Richard Lewis—Death, without a gleam of hope of mercy.

David Hughes, Thomas Vaughan, and David Thomas—Death recorded; the judge intimating that the sentence would be commuted to transportation for life.

Eight were sentenced to imprisonment for different periods and hard labour.

Several other persons, committed to Cardiff jail for having participated in the riots, were acquitted.

The charge upon which Richard Lewis was convicted, was that of having, during the scuffle with the military before the Castle Inn, wounded Donald Black, a private in the ninety-third regiment of Highlanders, with a bayonet, in the thigh: the wound in this case was never considered dangerous.

The soldier gave his evidence upon the trial in a very manly and creditable manner, but could not identify the prisoner as the party who had used the bayonet. The only evidence of identity was that of a person who, till the riots, was unacquainted with the prisoner.

The prisoner persisted in a denial of his guilt, and declared that he would do so with his dying breath.

Lewis Lewis (called Lewis the Huntsman, from his having been a huntsman to a gentleman of the name of Llewellen, about eleven years before) was indicted jointly with Hughes, Vaughan, and Thomas, together with three other persons, and charged with having, on the 2nd of June (the day preceding the affray near the Castle Inn), stood upon a chest in the street, opposite the house of a man named Thomas Lewis, and addressed the mob to the following effect:—"I understand that the mob has taken a chest of drawers from a widow woman, who had purchased it for two guineas from the Bailiffs of the Court of Requests, and restored it to another poor widow, from whom it had been taken in execution. Now I don't think that is fair, unless she has her two guineas back; and if you are of my mind, we will go to Thomas Lewis and get it back. All you that are of my mind, raise up your hands." Upon this, the mob all raised their hands, and several of them went into Thomas Lewis's house, and compelled him to deliver up the two guineas which he had received (being the plaintiff in the execution), to one David Williams, the widow's son. They also compelled Thomas Lewis to give up several other articles.

Digitized by Google

During the whole of this time Lewis Lewis remained in the street. Upon this evidence the Jury found Lewis Lewis, Hughes, Vaughan, and Thomas Guilty, and acquitted the other prisoners.

It appears that the two guineas thus extorted were restored to the prosecutor, Thomas Lewis, about a month before the assizes.

Looking at this offence with all its bearings, there seems a much less degree of moral turpitude in the crime, than that of an ordinary robbery, committed for the sake of plunder. Here the offender sought no plunder, but, from a mistaken sense of right and wrong, did that which he thought justice, by restoring to the widow the money she had paid for the chest of drawers.

At the conclusion of the trials, John Thomas, of Merthyr Tydvil, who was employed during the riots as a peace-officer, and who apprehended the prisoner, when he was committed to jail, was called by the prisoner's counsel, and was ready to prove, upon oath, that whilst the mob were assembled before the house of Mr. Coffin, at Merthyr Tydvil, some of them attacked him (J. Thomas), and violently beat him, and but for the timely aid of the prisoner, who actually fought in his defence, and in which he was himself severely beaten, he would, in all probability, have been killed.

This evidence, however, was declared inadmissible at the trial, although it was subsequently made the ground of an application for mercy on behalf of the prisoner.

The circumstances attending the conviction of these unhappy men procured for them almost universal commiseration, and petitions, signed by many thousands of persons unconnected with them in any way, were presented to the crown, with a view to obtain for them a mitigation of punishment.

In the cases of Hughes, Vaughan, and Thomas, in obedience to the suggestion of the learned judge, an immediate reprieve was granted, together with a commutation of punishment; and in that of Lewis Lewis, the huntsman, a respite for a week was at the same time allowed. The same favour was almost immediately afterwards accorded to Richard Lewis; but the most painful doubts were entertained as to his ultimate fate.

On Friday, the 5th of August, Lewis Lewis received a reprieve, together with a notification that his punishment was commuted to transportation for fourteen years, (an arrangement which was also at the same time made in the cases of Hughes, Vaughan, and Thomas,) and on the same day a respite for Richard Lewis for a fortnight was transmitted to the sheriff.

This postponement of the fatal day was looked upon by most persons as preparatory only to a commutation of punishment; but this favourable anticipation was contradicted by its being eventually determined that the case of the prisoner did not entitle him to any further consideration.

On the night before the execution, the unhappy convict was urged to make a confession of his guilt, but he positively denied that he had been in any way connected with the transaction in which he was alleged to have been an actor. He continued firm in this declaration up to the time of his death; and Lewis Lewis, who so narrowly escaped the same fate, and

Digitized by Google

who was his brother, subsequently confirmed the assertion which he had made, and stated that he could have given satisfactory evidence of his brother having been altogether absent from the affray.

The execution took place at Cardiff, on Saturday the 20th of August, 1831.

JOHN HOLLOWAY.

EXECUTED FOR THE MURDER OF HIS WIFE.

THIS horrible murder, almost unparalleled in atrocity, was discovered on Saturday the 13th of August, 1831.

It would appear that on Friday the 12th of the month, two men named Maskell and Gillam, who were farm-labourers, were passing through a place called Rottingdean, near Preston, in the neighbourhood of Brighton, when, on their arriving at a particular nook, much frequented on account of its rustic beauty, called the Hole-in-the-Wall, they fancied that they perceived that the earth had been disturbed. They pushed away some of the mould with a stick, and observed a piece of red printed cotton protruding, but at the time they took no particular notice of the occurrence. On their return home, however, to their respective families, they mentioned what they had seen, and Gillam's wife remarked that it was possible that a child might be buried there,—the offspring of some illicit connexion. The idea was adopted by Gillam, and on the following morning, at six o'clock, accompanied by his wife and some other persons, he again proceeded to the same spot, for the purpose of making a further search and investigation. He enlarged the opening he had made in the ground, and taking hold of the protruding cotton, he drew nearly a yard of it out of the earth, and his wife remarked that she was sure that it was the gown of a grown-up person.

Upon this, it was determined to convey intelligence of the transaction to a constable, and Elphick, the officer of the village of Preston, was summoned to their assistance. On his arrival, he recommended that the search should be further prosecuted, and Gillam procured a spade, for the purpose of digging round the spot. As every spadeful of earth was removed, the suspicions of the persons assembled were more strongly confirmed, and at length, at a distance of about eighteen inches only from the surface, a human thigh was found,—immediately afterwards another thigh was dug up; and then a large bundle, wrapped in a dress made of the same description of cotton as that first seen, was produced. The horror-stricken crowd which by this time had assembled was scarcely surprised, on this bundle being opened, to find that it contained the trunk of a human body; but they were still further alarmed at perceiving that the head and arms were wanting. The body was still clothed in the stays, chemise, and petticoats; and the gown, which had first attracted attention, appeared to have been loosely wrapped over it, and an effort had been made to tie it round with a cord, which presented the appearance of a petticoat-string.

The fact of this dreadful discovery spread like wildfire through the neighbouring village, and soon found its way to Brighton; and crowds of persons thronged to the spot, induced as well by feelings of curiosity,

Digitized by Google

as a desire to ascertain whether they were able to identify the remains as those of any person who might be known to them. Amongst others who were thus impelled to the spot, was a Mrs. Bishop, the wife of a labourer at Brighton, who speedily declared her belief that the body was that of her sister; and the comparison of the gown with a piece of cotton sewn into her patch-work quilt, which had been given to her by her sister, and with which it corresponded in pattern in every particular, convinced her that she was not mistaken in her belief.

An investigation was now immediately set on foot with a view to the discovery of the means by which the body had been placed in the position in which it had been found, which resulted in a conviction that the husband of the deceased, John Holloway, a labourer employed on the Chain Pier at Brighton, had murdered her, and had thus disposed of her remains, in order to conceal the circumstance of her death. From the inquiries which were made, it was elicited that the unhappy deceased was a native of Ardingley in Sussex, and at an early period of her life had quitted her native village for the purpose of procuring service. At the age of twenty-five she filled a situation as household servant in a public-house at Brighton, and there unfortunately she formed an acquaintance with Holloway, then only nineteen years of age, which terminated in an illicit connexion and her pregnancy. While in this condition, the unfortunate young woman was compelled to quit her situation, and, being driven to a state of destitution and want, she applied to the parish-officers for relief. The result of her application was, that Holloway was taken into custody upon a bastardy warrant, and, at the instigation of the parish-officers, was compelled to marry Celia Bashford, the unfortunate object of his seduction. Holloway, it appears, was the son of a driver in the Royal Engineers, and had exhibited considerable waywardness of disposition in his youth. He had successively filled the occupations of a butcher's boy, a baker's boy, and a bricklayer's labourer; and now, upon his marriage, he enlisted in the Blockade Service. A union founded upon such a connexion was not likely to produce much happiness to either of the contracting parties; and the difference of age and habits tended still further to produce an estrangement between Holloway and his wife. During the six years which intervened between the marriage and the death of the unfortunate woman, they scarcely lived together for two consecutive months; and at length Holloway, having quitted the Preventive Service in the year 1829, obtained employment on the Chain Pier, which was then in the course of construction, and took a woman named Ann Kennard to live with him as his wife, Celia Holloway then residing with her friends. Shortly after this, Holloway was again taken into custody by the parish-officers, in consequence of his leaving his wife chargeable upon the poor-rates; and at this time an order was made by the magistrates, that he should make a weekly allowance to her of 2*s*. Kennard, it appears, was usually employed to convey this pittance to Mrs. Holloway, and frequent quarrels took place between them; but Holloway also occasionally visited his wife, and she once or twice staid with him for a few days, during Kennard's absence. This state of things continued until about five weeks before the discovery of the murder, at which time Mrs. Holloway was living with a Mrs. Symonds, at No. 4, Cavendish-place North, Brighton, expecting in about a month to be put to bed of her third child by her husband, those which had before been born being both

Digitized by Google

dead. The unhappy woman had made the usual preparations on such occasions, and Mrs. Symonds and her daughter had assisted her in making and washing such baby-linen as she would require.

Holloway at this time commenced his diabolical scheme for her murder. Calling upon her, he expressed a wish that their former animosities should be forgotten, and that they should again live together as they had done when they were first married. The foolish woman, who had throughout expressed and exhibited the fondest affection for him, listened to his proposals, and it was arranged that he should fetch her on a certain day, to conduct her to lodgings which he had taken for her, the locality of which, however, he did not describe. On Thursday the 14th of July, Holloway called for his wife at Mrs. Symonds'; but he first took away her boxes, in which she had previously packed her own clothes and her baby-linen. Mrs. Holloway expressed some apprehension that he would not go back; but he kept his promise, and returned for her in about an hour, and took her away, attired in a gown similar in pattern to that in which her body was subsequently found wrapped. From this time she was never again seen alive. We have already stated, that it was on the 13th of August that the body of Mrs. Holloway, and the circumstance of the murder, were discovered. We shall now proceed to detail the occurrences which subsequently took place.

No sooner were the mutilated remains of the unfortunate deceased dug from the ground, than an instant search was set on foot by those present, with a view to the discovery of the remaining members of her body. This, however, proved unavailing; but in a ditch close by, and in an adjoining field, some portions of a box were found, bearing the marks of bloody fingers, and also of coagulated blood, which appeared to have oozed upon its inner surface. These portions of the box, like the gown, were soon recognised as having belonged to Mrs. Holloway, and steps were in consequence at once taken to secure her husband and his paramour, Mrs. Kennard. The latter was first found, residing at a house No. 23, High-street, Brighton, and was immediately taken into custody; and Holloway, on the same evening, learning that inquiries had been made for him, surrendered himself into custody.

In the mean time, the remains of the deceased woman had been conveyed to the barn of a farm at Preston, there to await a coroner's inquest, and surgical assistance had been called in, in order that a minute examination of the body might be made. Mr. Hargreave and Mr. Richardson, surgeons of Brighton, were selected to perform this duty, and their evidence was taken at the inquest which was held on the following day (Sunday) at the Crown and Anchor, Preston. They stated, that the body was in a state of considerable decomposition, and that they were unable to ascertain, from any appearances which it presented, what had been the cause of death. The legs, arms, and head appeared to have been removed from the body with considerable nicety and skill; and, from the aspect of the points at which the severance had been made, they were inclined to believe that a butcher or a surgeon had performed the operation. They were not cut off as if a saw had been employed to divide the bone, but they had been cut from the sockets of the various bones with great precision. They had subsequently made an internal examination of the body of the deceased, and, from the appearances which they observed, they believed that

Digitized by Google

the deceased had arrived at a period of her pregnancy within a short time of its completion. They were inclined to believe that parturition had actually commenced, brought on no doubt by alarm or over exertion, when the death of the mother terminated the life of the child. The head of the deceased woman, it was added, was taken off at the sixth cervical vertebra.

This evidence, together with proof of the circumstance of the deceased having quitted her lodgings in the manner which we have described, wearing the gown in which her body was found wrapped, and carrying the box, the fragments of which had been discovered, and of Holloway's frequent expressions of ill-will towards her, constituted the whole of the testimony produced before the coroner's jury; and upon that a verdict of "Wilful Murder against John Holloway" was returned, and he was committed to Horsham jail to await his trial at the Assizes.

The woman Mrs. Kennard, however, as we have already stated, had been taken into custody; and it became the duty of the magistrates to proceed further with the investigation of the circumstances of this atrocious case affecting her. She was brought up before the Brighton bench of magistrates on the Monday, for the purpose of being examined; but before any evidence was adduced, she begged to be allowed to make a statement. She then said that she had been married to the prisoner Holloway under the name of Goldsmith, (his mother's maiden name,) on the 16th of March, 1830, at Rye; and she assured the magistrates of her perfect innocence of all participation in the crime charged against her. The evidence which had been taken before the coroner was then again produced; and other witnesses were called, whose testimony more particularly affected the prisoner. These persons deposed, that for about three months before the period at which the murder was supposed to have been committed, Mr. and Mrs. Goldsmith (as the prisoner and Holloway were called) lodged at the house, No. 7, Margaret-street, Brighton. About the time of the murder, from Thursday the 14th to Sunday the 17th of July, they were observed to be rather irregular, and Holloway, on the Saturday night, was out until a very late hour. On the Friday the prisoner called at the house of Mrs. Leaver, a neighbour, and requested that she would lend her a wheelbarrow, but this request was not granted until the following day, in consequence of the absence of the husband of the woman from home. On the Saturday, however, Holloway went for the barrow himself; and on the same night, after Mrs. Leaver had retired to bed, and at a late hour, she heard it return to the yard at the back of her house. Subsequently to the apprehension of the prisoner, an examination of the apartment which she and Holloway had occupied in High-street was made, and many articles, recognized by Mrs. Symonds as having belonged to the deceased, were found concealed behind the drawers; while the landlady of the house, Mrs. Thomas, stated that she had purchased various articles of baby-linen from the prisoner, which were also identified as those which had been prepared by the murdered woman.

This was the whole of the evidence which was produced upon this examination; but on the next day a discovery was made of a most important character to the case. The high constable of Brighton had displayed the most unremitting anxiety in his exertions to discover the head and arms of the deceased woman. Every inch of the ground in the neighbour-

Digitized by Google

hood of Rottingdean had been minutely examined, under the apprehension that they might be concealed there, but without effect; and on Tuesday night, Mr. Folkard, as a last resource, directed that the privies of the houses in Margaret-street should be searched. The men had proceeded in their investigation for several hours; but when almost all hope was destroyed, they declared that they found their progress impeded by a solid substance, which turned out to be a human leg with the stocking on. This discovery was immediately succeeded by the production of the other leg similarly clothed; of the two arms, covered with the remains of the gown found at Rottingdean on the body, and lastly of a bed-tick containing the head of the unfortunate woman, from which almost all the hair had been removed.

This new and important feature in the case was immediately communicated to the magistrates, by whose directions Messrs. Hargreave and Richardson proceeded to examine the newly-discovered remains; and the result of their inquiry was an expression of the certainty of their being portions of the same frame with the body which had been found near Preston.

The police during the week used every possible exertion to procure fresh evidence, and many new and important disclosures were made; but, on the following Saturday, all doubts which might have been entertained of the guilt of Holloway were set at rest, by his confession of his having committed the murder. It had been already discovered that, a few days before the murder, he had taken a house, No. 11, North Steyne-row, or, as it was more familiarly called, Donkey-row, in which it was supposed the murder had been committed; and the statement which he now made of his guilt confirmed the suspicions which had been entertained. He informed the magistrates, in whose presence he detailed the circumstances of his crime, that he had long contemplated depriving his wife of life; but for three months had been unable to induce her to accompany him out at night. At last he persuaded her that he had taken lodgings, at which they were again to live together; and having first removed her box and bedding, conducted her to a little house in Donkey-row. Having arrived at the intended scene of slaughter, he shut the door, and knocked her down; she resisted with all her strength, but he threw himself upon her, and succeeded in strangling her. She screamed out, but he stifled her cries; and finding her cease to struggle, he took out his pocket-knife, and cut her throat in two places, so as to make his bloody scheme more secure. He then considered how he should dispose of the body, and determined upon removing it piecemeal. With this view he separated her head from her body, and afterwards divided her, limb from limb, at the joints. The head, arms, and legs he disposed of in the privy, where they were found; and the trunk and thighs he resolved to inter in Lover's-walk, a retired place which he had before marked. For this purpose he emptied her clothes from her box, and in their room deposited the dreadful and, as it turned out, the first evidence of his enormous guilt. This box he conveyed in a barrow to the place already described, where he dug a hole, and, as he thought, effectually disguised every sign of his atrocious cruelty. Fortunately, he omitted completely to cover the whole of the gown in which the trunk was tied up; and thus his guilt was discovered. The box he broke to pieces, and scattered about. In conclusion, he expressed

Digitized by Google

an anxious wish that Kennard should suffer no punishment for her supposed implication in a crime of which, he declared, she was wholly innocent.

A gentleman who was present at the confession, describes the scene in the following terms:—"I may truly say, that of all the awful and distressing scenes I ever witnessed (and it has been my lot to witness many), the confession of this wretched man far exceeded them. That he began his statement with an air of calmness it is true, but it was what no one who looked on him could mistake for that of indifference. Such, indeed, as it was, it continued only through the relation of his first acquaintance with the murdered woman, his subsequent marriage to her, and his quarrels with her friends. When his remarks approached the scene of the murder, his firmness altogether deserted him; long, long was it before he could pronounce the dreadful words which recorded his guilt; and, in the meantime, his cries, yea, almost his shrieks, for the mercy of God upon his soul, were most horrible, most appalling. One of the magistrates was so overcome as to be obliged to leave the room; and if the prisoner had not been supplied with a glass of water, he would, apparently, have fainted. We have read of the agonies of the rack, but who shall describe the agonies of remorse? I witnessed them then, and never, never shall I forget them—those agonies which, I may literally say, amidst weeping and wailing, and gnashing of teeth, drove the wretched culprit to sign his own death-warrant, by unburdening a conscience which would not let him rest day or night."

On Monday, 22nd of August, Mrs. Kennard was again examined before the magistrates. The discovery of the head, &c. was then proved in evidence, and some witnesses were called with a view of showing the prisoner's implication in the transaction of their concealment. These persons stated that, at about the time of the murder, they saw Holloway going to his house in Margaret-street, carrying a large bundle in a sack, and followed by the prisoner, who appeared to be anxiously watching the load; and that, at about the same time, but on another occasion, they had also seen them together, Holloway carrying a small tick bag, similar to that which had been found in the privy. Other persons proved that Holloway had rented the house in Donkey-row at 2*s.* 6*d.* per week, and that Mrs. Kennard had been seen there with him; while a witness, named Mary Marchant, who lived in the house next to that occupied by Holloway in that Row, gave very remarkable testimony. She proved that, on the night in which Holloway first went to the house, she heard some one, after she had been in bed for some time, cough and groan in an extraordinary manner. She remarked the circumstance to her husband, who also heard the noise, and observed, "That poor woman must be very ill." They, however, heard no more. On the next day the shutters of the house were not taken down; but on Saturday she observed Holloway and the prisoner go away from the house with a wheel-barrow, containing a box made of wood, similar to the pieces which had been found near Rottingdean.

The prisoner betrayed much anxiety while this witness was being examined; and, notwithstanding the repeated advice of the magistrate to be silent, she persisted in making a statement which surprised every one who heard it. She declared, in the most solemn manner, that she was not with the prisoner on the Thursday night (the night when the deceased was

Digitized by Google

inveigled from her lodgings) or on the Saturday night (the time when it was supposed Holloway and the prisoner removed the body to Preston from Donkey-row, in a box upon a wheel-barrow), for she was quite positive she never stirred from her lodgings at Mr. Leaver's, in Margaret-street, on those nights. She remembered (she said) that Holloway went out with the barrow which he had borrowed, and he came home to her before ten o'clock, and said he was going a smuggling. He asked her to let him have her gown, shawl, and bonnet, to disguise himself; and after endeavouring to prevail upon him not to do that which was so dangerous, she let him have the things. She then went to bed, as she had no others to wear. He was out till twelve o'clock that night, and at six o'clock the next morning she found the gown, shawl, and bonnet, in the room below.

Other witnesses were examined, whose testimony was not very material, except as corroboratory of that which had been already received; but a pawnbroker produced a shawl, which had been pledged with him for 1*s.* 6*d.* on the 15th of July, by the prisoner, who gave her own name and address, and which was identified as having been worn by the deceased on the day of her quitting Mrs. Symonds's house.

This was all the evidence produced on this day; but on the following Thursday a new discovery was made, which also excited considerable observation. On the day in question a workman named Allen, who was employed in an unfinished house in Trafalgar-street, on proceeding to his work, found that a chemise, deeply stained with blood, had been thrown into the building since he had left work on the preceding night. The shift, on being examined, was found to bear clear and distinct marks of blood having flowed down its centre from the top nearly to the bottom, but there it appeared to have met with some obstruction, and, diverging to the right and left, it had stained a spot on each side nearly six inches wide, and had then again met below, but had then ceased to flow any further. The garment was exhibited to Mrs. Symonds, who had no hesitation in declaring her positive conviction that it had belonged to the deceased; and the impossibility of either of the prisoners having thrown it in the place where it was found, tended to a conclusion that other persons had been engaged with them in the murder.

In consequence of the suspicions raised by this circumstance, two men, named White, (*alias* Jenkins), and Thomas Carver, were taken into custody. They were proved to have occupied the house in Donkey-row after Holloway had left it, but no other circumstance could be elicited against them. They, however, with Mrs. Kennard, were remanded for farther examination.

At the next inquiry before the magistrates, only one new fact was produced in evidence against the female prisoner, which was highly important, as it traced her to the vicinity of Lover's-walk on the night on which the body was buried, and she was committed for trial; but the other prisoners, White and Carver, were discharged.

In the course of the time which intervened between her committal and the trial, Holloway made a new confession, going more into detail upon the subject of the circumstances of the murder. As some of the facts stated by him affected his fellow-prisoner, it was deemed advisable that she should be present while he made his statement. The following comprises the main details contained in this declaration:—

Digitized by Google

When, at four o'clock in the afternoon of Thursday, the 14th of July, Holloway took his wife from her lodgings, they went straight to the house, No. 11, Donkey-row, which he had hired expressly for the commission of the murder; and to which he had, just before, taken her things. On Holloway opening the street-door, his wife first entered, and was going up stairs (which were immediately opposite to, and very near the door), when he called out to her to stop a moment, on which she sat down upon one of the stairs a little way up. She was in this situation when, without fastening the door, he approached her, as though he was going to kiss her, and, suddenly tying a cord about her neck, threw himself upon her body, and exerted all his force to strangle her. The poor creature, in resisting, fell to the bottom of the stairs, where she continued struggling; Holloway, with an end of the cord in each hand, stretching it, with fiend-like energy, to extinguish life. Feeling unequal to, or wishing to make a quicker work of the murderous task, he demanded aid. It was then that the resistance of the victim was speedily overcome, and her destruction, together with that of the infant in her womb, was effectually accomplished!

The only blood which came from the deceased before her death, was from her nose; it fell upon the stairs, and Holloway scraped part of it away with a knife.

After having committed the murder, the next question was, what was to be done with the body? Holloway's first idea was, to cut it up at once, and then remove it piecemeal. This design was, however, postponed, to allow the blood to congeal! He then dragged the body by the cord, with which he had effected the strangulation, to a closet beneath the stairs, where he hung it on a nail for the night. [The high constable subsequently examined the closet, and discovered the nail and several stains of blood.] And the clothes of the deceased—which had been sorted before her arrival, the articles fit for the pawnbroker's shop being separated from those which were not—were carried home, the same evening, to his lodgings.

The next day Holloway went to the house, and, having taken down the body and laid it on the floor, cut off the head (the blood appearing like a jelly), then the legs, and afterwards (for the convenience of packing the trunk in the box) the arms and thighs. He then emptied the chaff out of the ticking, and put the head, arms, and legs, into it, so that it formed a bag. It was then arranged that he should go first with his bag to the privy in Margaret-street, Kennard following, to see if any blood oozed out. The first attempt, he said, failed. They returned to Donkey-row, and put the head and limbs into a small box, and then into the ticking, and he carried them away, Kennard following him.

Holloway said, that when he took away the box containing the trunk and thighs on the Saturday night, Kennard followed the barrow with a pick-axe and shovel, done up as a parcel, under her arm. On reaching the Hare and Hounds, they turned to the left, leading to New England Farm, and went across the field to the copse, on arriving at which it was so dark that he could not see to dig the grave; so that they hid the box, and the pick-axe and shovel, in the bushes, and returned home with the empty barrow. By daylight on the following morning (the Sabbath day!) they were again at the spot. He had great difficulty in penetrating the earth, by reason of the roots of trees, which spread beneath the surface in all directions. Time rapidly advanced, and he had made but little progress.

Digitized by Google

After an hour's labour, he had not dug a hole half large enough to admit the box. He threw down the implements in despair, uncorded the box, took out the body and the thighs, and deposited them in the ground the best way he could. He broke the box into pieces, concealing them in different places near the spot; and, with Kennard, got back to his lodgings before anybody was stirring.

Holloway, while making his confession, was frequently interrupted by Kennard. Whenever he introduced her name at critical periods of the dreadful tale, she threw herself into paroxyms of rage, and loaded him with execrations. "The Devil's at your elbow;" "The Devil's in your eyes;" were expressions which she frequently used. Her violence did not incense Holloway, who looked upon her only with an eye of pity. There was a seriousness of manner and of tone in the man, which, united with the fearful import of his language, inspired those present (Kennard alone excepted) with feelings bordering on awe. It was a scene in real life, compared with which, the most finished dramatic exhibition would sink into insipidity.

During the subsequent period of his confinement, previously to his trial, Holloway conducted himself in jail with a degree of hardihood and even ferocity, which was surprising, after the confessions which he had made. He endeavoured to excite some of his fellow-prisoners to murder the governor of the jail, in order that they might effect their escape, and otherwise behaved in a most outrageous manner.

At his trial, which took place at Lewes, on Wednesday, the 14th of December, 1831, he was even more remarkable for the brutality of his demeanour, than he had been during his imprisonment. Upon his being arraigned, his manner was such as to be fully in accordance with the atrocious nature of his crime. The court was excessively crowded, and upon the names of the prisoners being called by the Clerk of the Arraigns, a thrill of horror ran through the assembled crowd, which was audibly expressed, in a murmur which gave much solemnity to the scene. Kennard, upon her name being called, burst into tears and fainted; but Holloway stood boldly forward, and seemed to beard the court with a look of defiance.

Upon the indictment being read, Holloway appeared confounded by the verbose and technical forms of expression. He at length exclaimed, "Read all that again, I don't understand a word of it."

The indictment was again read. At another point he exclaimed, with evident surprise, "What! does that mean me?"

On the prisoner being asked whether he was "Guilty?" he fiercely exclaimed, "I am not guilty of all that that paper charges me with."

By the Court: Do you plead "Guilty," or "Not guilty?"

Holloway (with the utmost ferocity): "By the laws of my country I am not guilty till you can prove me so."

By the Court: Well, you plead "Not guilty." Remove the prisoners from the bar.

The female Kennard was almost lifted from the bar. She seemed unable to stand. Holloway again looked ferociously round the court, and retired with a firm bold step.

Upon the prisoners being again brought up, their demeanour was scarcely altered. Mr. Justice Patteson presided on the bench.

Digitized by Google

Mr. Long and Mr. Dowling conducted the case for the prosecution, and the trial then proceeded. The whole of the evidence having been gone through, the learned judge expressed an opinion, that the female prisoner was not sufficiently affected to be liable as a principal, and she was directed to be acquitted, and the confession of Holloway was then put in and read, in the following terms. Such portions of it as affected Kennard could not, of course, be received as evidence against her :—

" Anne Kennard knew nothing of this circumstance going to happen until I had got the whole of Celia's clothes in that house. I went home and had her down to the house, and then I acquainted her with what I was going to do; she said I had better not do it for fear of being discovered; I told her I would trust to that if she would assist me; she said 'Yes, she would,' and then, as I had got the clothes, we knew not at first hardly how to dispose of them. I said we would pledge some and burn what would not pledge, and we immediately lotted out what would pledge, and Kennard took them, and I believe pledged them, and I then went and fetched Celia. Celia came with me to the south end of North Steyne-row; I left Celia there, and told her to wait till I came for her, or called her. I went into this house in North Steyne-row. I told Anne she was just by there, and it was agreed that she should conceal herself in the cupboard. She did conceal herself in the cupboard; I then went and called Celia; when she was in the house I shut the door; I told her I wanted to wait a little while, because my partner lived up stairs, and he was in bed, and I must wait until he got up; and with that pretence I kept her in conversation for some time, and at last I asked her to sit down on the stairs, and then, on a pretence of kissing her, I passed a line round her neck and strangled her. As soon as I passed the line round her neck, I found it was rather more than I could manage myself, and I called Anne, and God knows she assisted me, by taking hold of each end of the rope with me, and she held the rope with me until the poor girl dropped, and then I held the cord for a time myself; and Anne made use of this expression—'Do not let your heart fail you.' When I thought she was dead, or nearly dead, I dragged her into a cupboard or coal-hole under the stairs, and under the stairs there is some nails. I did not remove the cord, but took an over-handed knot, and I made the ends fast to the nails, so that she was then hanging by the neck; I proposed then cutting her. Anne Kennard told me to wait until the blood was settled; then, I believe, the next thing we did was to burn the things, the bonnets particularly; the people who went into the house after we left must have seen the wire in the grate, which I took notice of being there, either that or the next night, I cannot call to mind which, that we proceeded to cut the body. I emptied the chaff out of the bed, to have the tick to carry part of the body away in, and then I cut off the head first, and I think the arms I carried with the head. Anne Kennard was present; I never went to the house to do anything with the body, but what I took Anne Kennard with me, and the day that I brought the head and the other part away, she was to walk behind me to see if any blood came through; the first attempt we made would not answer, because the blood came through the tick. Anne told me of it, and we went back and put it into a little box, and then into the tick; that night after dark Anne came down with me, and we brought a small tub with us; I went and got a light, and then some water in the tub, and after we had placed the body in the box, Anne

Digitized by Google

washed the kitchen to clear it of the blood, and the next day I borrowed a wheel-barrow, and took it down to the house, and then I borrowed a pick and shovel, and that night Anne and me went down to the house, and we took the box the body was in (I did) on the wheel-barrow. I wheeled the barrow, and Anne Kennard was to follow me with a pick and shovel. She did not know where I was going to. She kept at a small distance from me until we got near the Hare and Hounds. We turned up the hill and then down the footpath, that leads to where the body was found. I made an attempt to dig a hole that night, but I found it too dark; we just put the box under some bushes near the spot, and also the pick-axe and shovel; Anne Kennard was with me all the time. We then took the wheelbarrow home. We went down again in the morning as soon as it was light, and I dug a hole with an intent to bury the box and all; but I found that would take up too much of my time, because of the roots of the trees. I took the body out, and threw it into the hole. I healed the body up, and then broke the box up, and hid away the pick and shovel, and Anne Kennard and me went and fetched them away the next night; I had been round once since the body had been buried, to see if everything was right, and I sent Anne Kennard twice, and she told me she went; I think the people where we lodged must well remember she went away with me when I went away with the wheel-barrow. She did not go the same road as I did; she went one road, and I went another; and I think the people must remember Anne went out early the next morning; we both went out early, but returned early, before the people, Leavers, were up. A man of the name of Watts, in North Steyne-row, must remember Anne Kennard being there several times with me, and one time in particular, when we were going away, and Anne had then got a bundle of some kind to take away from the house; and a woman that was talking to either Master Watts or his wife abused me very much, told me that was not my wife that I was with, and said that she had got a bundle then to pawn (meaning the bundle she had got with her). I forget the person's name that I spoke of, but her husband is a bricklayer. I declare I do not disclose this out of any envy or malice, and I have done the best I could ever since I have been confined to conceal it, but I find it impossible; I simply do it to convince the world at large who are the guilty and who are the innocent. I likewise declare before God and you, gentlemen, that I feel, if it was my own father, it is out of my own power to conceal it.

(Signed) "JOHN WILLIAM HOLLOWAY.

"Saturday, Sept. 3, 1831."

The reading of this confession produced a terrific impression in the court; and the prisoner, notwithstanding his efforts to appear undisturbed, was evidently labouring under extreme mental excitement. Upon his being called upon for his defence, he declared that he had no wish to screen himself from the punishment of death, which he knew awaited him; but he urged that cases had occurred where, although the evidence had been more conclusive than in this, the persons charged had escaped.

The jury immediately returned a verdict of "Guilty," and the learned judge sentenced the prisoner to be executed on the following Friday, and directed his body to be given up to be anatomised. During the passing of the sentence the wretched man endeavoured again to assume a firm demeanour, but his manner was embarrassed; the blood forsook his cheeks; and although at

Digitized by Google

the conclusion of the address of the learned judge he pronounced the word "Amen" pretty firmly, he was evidently sensibly affected.

On his return to his cell, he threw himself on his bed in an agony of pain; and his cries for pardon from the Almighty, and his petitions that he might be saved from everlasting damnation, were distinctly audible through the prison-yard. On the following day he was visited by a gentleman named Nate, who had formerly been his employer, and to whom he re-asserted the truth of the confession which he had made. He also stated that he had seduced several women, whom he had forsaken; and that he had attempted to violate two others. His account of one of these attempts was as follows:—He had induced her to promise to accompany him in an excursion out to sea. "She was true to her appointment," he said. "The morning was foggy, but I took the boat right out, and I kept pulling as hard as I could long after we had lost sight of the shore. She became alarmed at last; and on my attempting to take advantage of her, I found out my mistake, for she told me boldly that before she would comply with my wishes she would leap overboard. Her determined spirit so confounded me, that I could not look her in the face, and I rowed her back and took leave of her."

On Friday morning he continued his devotions till nine o'clock, when he adverted, for the last time, to his *forced* marriage, and railed against the overseers of the parish of Ardingly. He had written, he said, an account of the whole affair, which he hoped would be a warning to overseers not to destroy the happiness of young persons as they had done his.

At twelve o'clock he mounted the scaffold with a firm step. There was a strong expression of disgust among the spectators. He fell on his knees and prayed for a short time, after which the rope was placed round his neck, and the cap drawn over his eyes. He then advanced to the front of the scaffold, and in a firm voice spoke as follows:—

"Now, my dear friends, I need not tell you that sin has brought me to this untimely end. As sin has brought me to this untimely end, I would entreat you to be aware that there is not one among you who, if he follows a life of sin and folly, may not be brought to the same condition: for when you trifle with sin, you know not where it will end. I know I suffer justly: I have spilt innocent blood; but, however deep my guilt, I hope in the mercy of that God who has said to the penitent, all your sins and blasphemies shall be forgiven you. Therefore turn from your sins, and the Lord will forgive you. After such a warning as this you now witness, you will have none to blame but yourselves if any of you should be overtaken in sin, and follow courses which lead to certain destruction. Consider seriously what I say, for in a short time the eye that now sees you will see you no more, and in a few years you will be in eternity. May the Lord bless you and keep you from sin, by which I am brought to this dreadful end; and may God Almighty, through the Lord Jesus Christ, receive my spirit!"

After he had finished his speech, he retired back on the platform, and the drop fell. The struggles of the culprit continued for some minutes.

At one o'clock the body was cut down, and having been placed in an oblong box, was delivered to a young surgeon connected with Brighton Infirmary, to which place it was instantly conveyed; where a public exhibition of the body of the murderer afterwards took place.

Digitized by Google

Holloway at the time of his execution was only 26 years of age, and was a remarkably small man, scarcely reaching five feet in height. Among his confessions in jail, was one also that he had robbed a man of his watch in a barn some years before; and that he had been tried for the robbery, but acquitted.

His execution took place on Friday, the 16th of December 1831.

The woman Kennard was at the following assizes tried as an accessory to the murder of Mrs. Holloway, the previous determination of her case having been prevented by her being confined with a child, the offspring of her guilty paramour; but after a long and patient inquiry, a verdict of Not Guilty was returned.

JOHN BISHOP, AND THOMAS WILLIAMS.

EXECUTED FOR THE MURDER OF AN ITALIAN BOY.

THE universal horror which had been produced by the dreadful disclosures which were the result of the case of Burke and Hare, had not yet subsided when the atrocious crimes of these monsters were discovered and brought to light. Frequent mysterious disappearances of persons in a humble sphere of life are alleged to have taken place previously to this melancholy proof of the continuance of the system shown to have been carried on by Burke and his associates; and the police were on the watch, anxiously waiting for any clue which might lead to the discovery of the causes of these events, or which might tend to exhibit the existence of the practices in London which were so much apprehended. The opportunity which they sought was at length given to them in the case of these miscreants; which, while it afforded positive evidence of the horrible crimes which had been committed, delivered into their hands the men who had been their perpetrators.

We have already alluded to the evils of the absence of legislative provisions for the supply of subjects for dissection to the medical schools of the large cities through this empire, and it will not be necessary to enter now at large upon that question. It is, however, worthy of remark, that although the crimes committed in the Scottish metropolis were insufficient to awaken the attention of Parliament to the importance of some enactment in reference to this most distressing subject, the excitement produced throughout every grade of society by the discovery of this new blow to the general safety and welfare of mankind had that effect. A measure which had been before recommended to Parliament to render the anatomisation of dead bodies legal, and to regulate the supply of subjects to the medical schools, now received universal attention; and some objectionable provisions having been struck out, and replaced by others of a less questionable character, it received the assent of the legislature.

It was on Saturday, the 5th of November, 1831, that these persons were apprehended for the crime of which they were subsequently found guilty, and for which they were executed. They were immediately conveyed to the station-house of the F division of police, in Covent-garden, and on the same night were taken in custody before Mr. Minshull, the sitting magistrate at Bow-street Police-office. Bishop and Williams,

Digitized by Google

however, were not the only persons then charged; but James May and James Shields were also in custody, an allegation of suspicion of murder being made against them all generally. At this period little more than a mere declaration that they were suspected to have been concerned in the murder of a boy about fourteen years of age whose body they had offered for sale at King's College was made, and the prisoners were remanded to await the result of the inquest which was directed to be held upon the body of the deceased.

On Tuesday the 8th of November, a coroner's jury sat upon the remains of the unfortunate boy; the prisoners being in attendance to hear the evidence adduced, and to give their account of the transaction.

The first witness called was William Hill, the porter at the dissecting-room of King's College. He stated that at about a quarter before twelve on the previous Saturday, the 5th of November, the bell of the dissecting-room having been rung, he went to the door, and found the prisoners Bishop and May there. He had known them both before, from their having supplied the college with subjects for dissection. May asked him whether "he wanted anything;" which, in the language of such persons, was intended to convey an inquiry as to whether he wanted to buy a subject. He answered that he did not want anything particularly, but inquired what he had got? The reply was, "A male subject." He asked of what size he was; and the prisoner said that he was a boy, about fourteen years old, and he wanted twelve guineas. He told them that he was sure that that price would not be given, for the school did not want a subject; but he added, that if they would wait, he would acquaint Mr. Partridge, the anatomical demonstrator, with their business. He accordingly informed Mr. Partridge that the prisoners were there, and that gentleman said that he would see them; and he, in consequence, directed them to proceed to a particular part of the building, which was appropriated to the use of such persons. He met them there, and they were soon joined by Mr. Partridge, who refused to give them the price they had demanded. May then said that he should have the body for ten guineas; but this was still declared to be too much, and Mr. Partridge went away. The prisoners again pressed the witness to purchase the subject; and he, at their request, went after Mr. Partridge to ascertain the greatest amount he would pay. Nine guineas was the sum fixed, and he returned and acquainted the prisoners with the determination which had been expressed to give no more than that amount. May said that he would be d——d if it should come in at less than ten guineas; but on his going out at the door, Bishop took witness aside, and said, "Never mind May, he is drunk: it shall come in at nine guineas, in the course of half-an-hour." They then went away; but at about a quarter past two in the afternoon they returned with Williams and Shields, the latter carrying a hamper. May and Bishop carried the hamper into an inner room; and on opening it, a sack appeared inside, which contained the body. May, who was even more tipsy than he had been before, now took out the sack, and turning it up, threw the body carelessly on the ground. He remarked that it was "a good one;" to which witness assented: but he observed that the body was particularly fresh, and in consequence of some other appearances which presented themselves, he went to Mr. Partridge. Before he went, he asked the prisoners what the boy had died of; but May answered that

Digitized by Google

that was no business of theirs, or his either. He directed them to wait in the adjoining room until his return. He acquainted Mr. Partridge with his suspicions, and that gentleman, in consequence, accompanied him to the room to look at the body. He thought that the body was more rigid than usual, and it appeared to him as if it had not been buried. The left hand was turned towards the head, and the fingers were firmly clenched; and there was besides a cut on the forehead, from which blood appeared to have issued upon the chest. Mr. Partridge concurred with him in thinking that there were some suspicious appearances about the body, and went away. Other gentlemen, students at the college, soon after came, and were of the same opinion. Witness inquired of the prisoners how the cut came in the forehead of the deceased; and Bishop answered that May had done it, in throwing the body on the ground. On Mr. Partridge's return, he showed the prisoners a 50*l.* note, which he said he must send to get changed before he could pay them. Bishop suggested that he should give them what money he had, and they would call again on the following Monday for the remainder of the price; but this was objected to, and Mr. Partridge again went away. In about a quarter of an hour, Mr. Mayo, the professor of anatomy at the college, came into the room, with Mr. Rogers, the inspector of police, and some constables, and the prisoners were immediately given into custody. The body was then delivered to the police, together with the hamper and sack; and they, with the prisoners, were taken to the station-house.

Mr. Richard Partridge was called, and he stated that he was demonstrator of anatomy at King's College. He was at the college on Saturday the 5th of November. A body was brought there that day, and a communication was made to him respecting it by the witness Hill, about two o'clock in the afternoon. He, in consequence, went and looked at it. None of the prisoners were present at the time. The body externally exhibited some suspicious appearances, and it was those appearances which induced him to go for the police. The suspicious appearances were, a swollen state of the face, bloodshot eyes, freshness of the body, and the rigidity of the limbs. There was likewise a cut over the left temple. The lips were swollen. On returning to the college after going for the police, he showed the 50*l.* note to May and Bishop, when he found them at the bottom of the stairs leading to the anatomical department. He proposed to them that change should be got for the 50*l.* note, with a view to detain them until the police had arrived. On the following day he made a more particular examination of the body at the police-station in Covent-garden, where it lay. There were several medical men present at the examination. Externally the body presented the following appearances:—The muscles were still rigid, but not so much so as they had been on the preceding day. There was a superficial wound on the temple, which did not injure the bone. There was not any other appearance of external injury: beneath the scalp, on the top of the skull, there was some blood effused. On opening the body, the whole of the contents of the chest and of the abdomen were found to be in a perfectly healthy condition. The stomach was full; but he could not say what the contents of it were. The brain, and its continuation, the spinal cord or marrow, were likewise examined, and were found to be perfectly healthy. In cutting down through the skin and muscles at the back of the neck, in order to come at the bony

Digitized by Google

canal in which the spinal cord is contained, a quantity of coagulated blood was found in the interstices of the muscles; and on removing the back part of the bony canal, some blood was found upon the membrane which envelops the spinal cord. There was coagulated blood opposite to the muscles, where a blow might have been struck on the back of the neck. There was uncoagulated blood found within the rest of the bony canal which contains the spinal cord. The spinal marrow itself appeared to be perfectly healthy, and there was no other remarkable appearance about it. It was his opinion that the marks of internal violence which he had stated were sufficient to produce death. He believed that the appearances of internal violence to the spinal marrow had been caused by a blow, or some other species of violence inflicted on the back of the neck. The blow of a stick on the back of the neck might have caused such appearances. He would not say positively that such an injury would produce an instantaneous death, but he believed it would cause a very speedy one. On the external examination of the body, he could not discover any appearance of injury which would have been sufficient to cause death.

Mr. George Beaman, the surgeon to the parish of St. Paul, Covent-garden, had also examined the body, and his opinion corresponded with that expressed by Mr. Partridge. His belief was that the deceased had died within thirty-six hours of the time when he first saw it on the Saturday; and he was also of opinion that the deceased had not died a natural death. The face and tongue were swollen, the latter protruding through the lips; the eyes were prominent and blood-shot. The teeth had been removed, apparently immediately after death. The witness added, that he was enabled to detect a slight smell of rum in the contents of the stomach, but could not distinguish the nature of the food last eaten. The process of digestion was going on at the time of death.

Mr. George Douchez gave similar evidence.

Mr. Joseph Sadler Thomas, superintendant of the F division of police, deposed, that in consequence of information conveyed to him by Mr. Partridge, he despatched Inspector Rogers and some other officers to the King's College, and in a short time the four prisoners were brought to the station-house in custody. Rogers also brought the body, sack, and hamper. The body was placed in the back room in the station-house, with the hamper. The prisoners were all together, in the outer room. He asked May what he had to say, for he was charged with having come into the possession of the subject in an improper manner. He replied, "I have nothing at all to do with it; the subject is that gentleman's" (pointing to Bishop). "I merely accompanied him to get the money for it." He then asked Bishop whose it was, and he said that it was his, and that he was merely removing it from Guy's Hospital to King's College. He asked Williams what he knew about it? He replied that he knew nothing about it, and that he had gone with them to the King's College to see the building. He asked Bishop in the first instance what he was; and his answer was, "I am a b—y body-snatcher." All the prisoners, Bishop and May especially, were labouring under the effects of liquor. May had resisted violently on his being apprehended, and he was carried into the station on all-fours, with his smock-frock turned over his head.

The only other witness examined was a person named Joseph Perrigalli, an Italian, who was called to speak to the identity of the body. He

Digitized by Google

declared his firm belief that it was that of a boy named Carlo Ferrari, who had been brought from Italy, and who gained a living by exhibiting natural curiosities through the streets.

This concluded the proceedings of the first day's inquisition, which was then adjourned until Thursday, in order that the police might inspect the house stated by the prisoners Bishop and Williams to be occupied by them.

On that day, Higgins, a constable of the F division, was examined, and he deposed, that he had ascertained that the prisoners lived at the house No. 3, Nova Scotia Gardens, Bethnal Green. On proceeding thither he had searched the house, and found all the tools usually employed by body-snatchers. He believed that Bishop, Williams, and May, were of that fraternity, and that Shields had been employed by them occasionally as a porter.

Upon this evidence the jury were unable to come to any conclusive decision upon the case, and they returned a verdict of "Wilful murder against some person or persons unknown;" but expressed their strong belief, that the prisoners, Bishop, Williams, and May, had been concerned in the transaction.

It was impossible that an inquiry which had hitherto terminated so unsatisfactorily should cease here, and Mr. Minshull, with that alacrity and determination by which his conduct as a magistrate was always characterised, immediately took upon himself the arduous and most important task of conducting the investigation to its close. In this duty he was most ably and, as it was on all hands admitted, most humanely assisted by Mr. Corder, the vestry-clerk of the parish of St. Paul, Covent-garden, whose exertions were most valuable and praiseworthy, and by Mr. Thomas, the superintendant of police; and through their agency a train of evidence was collected, which laid bare the dreadful transaction in all its hideousness of guilt.

The inquiry which had concluded before the coroner on Thursday was continued by Mr. Minshull on the ensuing day, when the same evidence which we have detailed was repeated by the witnesses. The prisoners were then remanded; but on Friday, the 18th of the month, they were again brought up.

Witnesses were then examined, whose testimony traced the prisoners Bishop, Williams, and May to a noted house-of-call for body-snatchers—the Fortune of War public-house, in Smithfield—on the 4th November, where they appeared to be in earnest conversation. They went in and out repeatedly during the day; and at night May was seen with a number of human teeth in a handkerchief, to which some portion of the flesh of the gum was still adhering, upon which he poured water, in order to clean them. On the next morning Shields joined them, and Bishop was heard endeavouring to induce him to go to St. Bartholomew's Hospital for a hamper, which he refused to do, in consequence of which Bishop went and fetched it himself. They then went away, and were not again seen.

Mr. Thomas, in addition to his former evidence, stated, that in consequence of information which he had obtained, he had discovered the teeth of the unfortunate boy at the house of Mr. Thomas Mills, a dentist in Newington Causeway, who had handed them over to him, and was now ready to state the circumstances under which they had come into his possession.

Digitized by Google

Mr. Mills, of No. 39, Bridge-house-place, Newington Causeway, then stated, that on Saturday, the 5th of November, May brought him a set of teeth, for which he asked a guinea. Witness observed that one of the front teeth was chipped, and said that it did not belong to the set; upon which May said, "Upon my soul to God, they all belonged to one head, and that not long since," and added, that the body never had been buried: he ultimately agreed to take 12*s.* for the teeth. Portions of the gum were adhering to them, and part of the jaw-bone; there could be no doubt that the teeth had been forcibly removed immediately after death. He remarked to May, that the teeth, from appearance, belonged to a female: his reply was, "The fact is, they belonged to a lad about fourteen or fifteen years of age."

While this witness was giving his evidence, the prisoner May appeared for the first time to change countenance, and to lose that hardness of nerve which had distinguished him throughout the whole previous proceedings. He stared at the witness at first rather wildly, and compressed his lips while listening attentively to the evidence; and as soon as it was concluded, he endeavoured to resume his composure, and forced a laugh; but, almost in a moment after, his countenance underwent another change, and he muttered to himself as he looked over to the witness, "The b—y rascal!" He then asked the witness if he was quite sure of the exact words he had used, when he brought him the teeth, with regard to the body not having been buried?

Witness.—You said that the body had never been buried.

The only other new witness examined on this day was a girl, eleven years of age, named Martha King, who deposed to her having seen a boy corresponding in appearance with the deceased, exhibiting white mice near the prisoner Bishop's cottage, in Nova Scotia Gardens, about the time of the supposed murder; but Higgins and Kirkman, policemen, produced new evidence, tending to confirm the belief in the horrid guilt of the persons charged. Higgins, in a new search at Bishop's house, had found a pair of breeches stained with blood, and a brad-awl similarly marked, which had apparently been used to extract the teeth of the deceased; and Kirkman deposed to a conversation which he had heard pass between Bishop and Williams on the former examination. Posting-bills had been widely distributed through the metropolis, offering a reward for the production of certain evidence against the prisoners, one of which was fixed against the wall in the police-office. Bishop, intent upon reading the bill, a passage in which referred to the marks of blood on the body of the deceased, observed, "It was the blood that sold us," and then, continuing reading, in allusion to a reference to certain marks of violence observable on the person of the deceased, he said "The marks of violence were only the breakings-out on the skin."

Upon the delivery of this evidence the examination concluded, and the prisoners were again remanded.

Upon the following day, in obedience to a determination which had been arrived at, that a new and more searching investigation of the prisoners' house and premises should take place, Mr. Thomas and Mr. Corder, accompanied by Higgins and other constables, proceeded once more to Nova Scotia Gardens, and there, after a minute investigation, they made discoveries which filled them with horror, and confirmed, by the most

Digitized by Google

positive evidence, the suspicions which had been excited of the murderous traffic which had been carried on. The particulars of these discoveries were communicated to the magistrate on the same evening, but they were not allowed to transpire until the next examination of the prisoners, which, however, owing to the painful excitement which had been created, and the anxious desire universally exhibited to learn the nature of any new intelligence obtained, was ordered to take place on the following Monday instead of Friday, to which day the prisoners had been remanded.

On that day the new evidence was adduced. The first branch to which the inquiry was directed, was that which traced the poor Italian boy to the neighbourhood of Nova Scotia Gardens; and several witnesses were called, whose testimony distinctly proved that he was observed there on the evening of the Thursday before the 5th of November, wearing a brown hairy cap, and carrying white mice for exhibition.

Higgins was then re-examined, and his testimony excited universal horror, while it at once removed every doubt which might otherwise have existed as to the guilt of two at least of the prisoners—Bishop and Williams. He said, "I was instructed by Mr. Thomas to go with Wadey to Bishop's house and have the garden carefully dug up; I tried the ground first with an iron rod on the west side of the garden close to the palings, and about five yards from Bishop's back door I found the rod struck against something soft, and on digging, we found a blue jacket, black trousers, and little shirt. I then tried the ground about a yard further, and there we found a blue short coat, a pair of grey trousers with braces on and a piece of a comb in the pocket, a striped waistcoat the back of the collar of which was bloody, and a shirt torn down the centre: the waistcoat must have been made for a larger person than the last who wore it, as it has been roughly taken in at the back."

In addition to this, Mr. Thomas deposed to the discovery of a brown hairy cap in Bishop's house; and witnesses were also called, who swore that the second suit of clothes discovered, and the hairy cap, were similar in every respect to the attire worn by the Italian boy when he was last seen. The prisoners were then again remanded.

It is impossible to describe the impression which these new proofs produced in the public mind, tending as they did to establish the fact, not only of the murder of the Italian boy, but that other persons had also fallen victims to the horrible machinations of the miscreants who occupied the house in Nova Scotia Gardens. On the day after its publication, mobs of persons assembled in the neighbourhood of the house, and threatened, by their violent demeanour, to wreak their vengeance by destroying the building. The police were compelled to interfere to quell the anticipated riot, and to prevent the entrance of the public to the building; but many thousands were permitted, upon paying a small fee, to pass through the premises.

At an early hour on Wednesday morning, Higgins and some other constables proceeded again to Nova Scotia Gardens, and commenced a new search. They had not long been engaged in their work before their object was discovered, and crowds of persons flocked to the spot. Their manner denoted the anxiety with which they viewed what was going on, and a strong body of police was necessary to prevent their interference with the proceedings of the officers. The garden attached to Bishop's house was

Digitized by Google

again dug up to the depth of four feet, and every portion of the ground carefully sifted, but nothing worthy of notice was found; the cesspool and privy in the garden were next examined with equal care, and with the same result. But it was deemed prudent that an equally strict search should be made in the ground attached to the adjoining house, No. 2, which had been formerly inhabited by Williams and his wife. For this work several nightmen were employed to assist the police; and not only was the garden dug up, but the cesspool and privy were thoroughly emptied and examined. In the inspection of the privy, the men had been but a short time at work when one of them brought up a thick roll of something, which at first was thought to contain the body of a child, but which, on inspection, proved to be an entire suit of female apparel. The bundle was cleansed; and upon its contents being exposed, they proved to consist of the following articles:—a black stuff or camlet cloak; black worsted stockings, very coarse; a flannel petticoat, very old and ragged, upon the top of which, near the waistband, were to be seen two distinct marks of blood; a pair of stays very nearly worn out, and patched, which were still laced in the usual way behind; an old shift, and a dark plaid gown. The whole of these articles were cut or torn down the front; and the presumption raised was, that the wearer having been murdered, her clothes had been cut from her body.

New interest was produced by this discovery, and numerous were the persons who called at the station-house for the purpose of inspecting the clothes which had been found. It was not, however, until after the final examination of the prisoners that they were identified; and we shall abstain from giving the particulars of the occurrences which followed their recognition, until we have detailed the concluding evidence produced against the prisoners, and the final decision of the magistrate upon their cases.

The last inquiry at Bow-street took place on Friday, the 25th of November; and the attention of the magistrate was then principally occupied by the production of formal evidence with regard to the occupancy of the house, No. 3, Nova Scotia-gardens, by the prisoners Bishop and Williams, and their families. Other testimony was also laid before the bench, however, with regard to the removal of the body of the deceased from Nova Scotia-gardens on Friday, the 4th of November, its subsequent conveyance to Guy's Hospital, where it was offered for sale, and its tender, also, to a Mr. Appleton, the curator of Mr. Grainger's medical school in the Borough.

James Seagrave, driver of a cabriolet, stated:—"On the evening of Friday, the 4th of November, I was with my cabriolet on the stand in the Old Bailey. It was about six o'clock in the evening; and having put the nose-bag on my horse, I went into the watering-house to take my tea. I was called out, and saw May and Bishop. May asked me if I wanted a job, and said he had 'a long job.' He took me on one side, and said he wanted me to fetch 'a stiff 'un;' which I understood to mean a dead body. I told him I did not know, but asked what he would stand; he told me he would stand a guinea. I said that I had not finished my tea, and that my horse had not done his corn. He said that we would take tea together. I went into the public-house, followed by May and Bishop. They took their seats, and called for tea for two. Some person in the room jogged me by the elbow, and hinted that the men were "snatchers;" and I

Digitized by Google

determined not to go with them. I had previously made up my mind not to go with them. After tea I went out, and drove my cabriolet to the bottom of the rank. I afterwards saw May and Bishop going up the rank among the coaches, and I drove off, leaving them apparently making a bargain with the coachmen."

It appeared that their efforts to obtain a coach there were unsuccessful, and they had recourse to the stand in Bridge-street, Blackfriars, but with no better effect; but they eventually procured a yellow chariot from the rank in Farringdon-street.

George Gissing, a boy, was then examined. He said, "I am twelve years old. My father keeps the Bird-cage public-house, Crab-tree-road, near Nova Scotia-gardens. On the evening of the 4th of November, about half-past six o'clock, I saw a yellow hackney-chariot draw up opposite my father's house. It is very near Nova Scotia-gardens. I know Bishop's cottage in Nova Scotia-gardens. It is but a short distance from my father's house. I did not see who got out of the chariot. I afterwards saw the prisoner, Williams, standing on the fore-wheel of the chariot, talking to the driver. The chariot waited ten or fifteen minutes. The door was open all the time. Williams went down to Nova Scotia-gardens; and, in ten or fifteen minutes, he returned and got into the chariot. Then I saw a strange man carrying a sack in his arms, and Bishop holding up one end of it. They put it in the chariot. Williams put out his hand to help it in. The sack appeared as if something heavy was in it. Bishop and the other man got into the chariot along with Williams, and they drove up Crab-tree-road and towards Shoreditch church, on the road to the city." The boy added, that Bishop was looked upon as the father-in-law of Williams; and the wedding supper of the last-named prisoner had been held at his (witness's) father's house, about two months before.

Thomas Davis, porter to the dissecting-room at Guy's Hospital, stated:—On Friday evening, the 4th of November, about seven o'clock, May and Bishop came to the hospital, May carrying a sack; I knew them before; they asked me if I wanted to purchase a subject; I declined to purchase it, and they asked me if I would allow them to leave it in the hospital until the following morning; I acceded to their request, and locked the body up in a room during the night. Next morning, between the hours of eleven and twelve, I saw May and Bishop in the hospital. Having been out, I returned to the hospital, and ascertained that the body had been taken away. I had only seen a foot out of the sack, and I believed it was either that of a boy or a female; it was not large enough for that of a man.

Mr. Appleton then deposed, that May and Bishop had offered the body to him on the same evening, but he had declined purchasing it; and this closed the case.

The prisoners were called on to make any declarations they chose in reference to the case, before their final committal, and they addressed the bench in the following terms:—

Bishop.—"I dug the body out of the grave. The reason why I decline to say the grave I took it out of is, that there were two watchmen in the ground, and they entrusted me; and, being men of family, I don't wish to deceive them. I don't think I can say anything more. I took it for

Digitized by Google

sale to Guy's Hospital, and, as they did not want it, I left it there all night and part of the next day, and then I removed it to the King's College. That is all I can say about it. I mean to say that this is the truth. I shall certainly keep it a secret where I got the body. I know nothing as to how it died.

May said, "he wished to say what he knew, and would speak the truth." He then said "his name was James May, and that he lived in Dorset-street, Newington. He went into the country on Sunday, the 29th of October, and returned on the evening of Wednesday, and went to Mr. Grainger's, in Webb-street, with a couple of subjects. On the following morning (Thursday), he removed them to Mr. Davis's, at Guy's; and, after receiving the money, he went away to the Fortune-of-War, in Smithfield, and stayed there about two or three hours. Between four and five o'clock, to the best of his recollection, he went to Nag's-head-court, Golden-lane, and there he stopped with a female until between eleven and twelve o'clock the next day (Friday). From Golden-lane he went to the Fortune-of-War again, and stopped drinking there until six o'clock or half-past. Williams and Bishop both came in there, and asked him if he would 'stand anything' to drink; which he did. Bishop then called him out, and asked him where he could get the best price for 'things.' He told him where he had sold two, meaning Guy's; and he (Bishop) then told him that he had got a good subject, and had been offered eight guineas for it. He (May) replied, that he could get more for it; and then Bishop said, that all he could get over nine guineas he might have for himself. He agreed to it; and they went from thence to the Old Bailey, and had some tea at the watering-house there, leaving Williams at the Fortune-of-War. After tea they called a chariot off the stand, and drove to Bishop's house. When there, Bishop showed him the lad in a box, or trunk. He (May) put it into a sack, and brought it to the chariot, and conveyed it to Mr. Davis's, at Guy's. Mr. Davis said, 'You know, John, I cannot take it; because I took two of you yesterday, and I have not got names enough down for one, or I would take it.' He (May) then asked him if he could leave the body there that night, and he said he might. Bishop then desired Mr. Davis not to let any person have it, as it was his subject, but to deliver it to his ownself. He (May) also told Mr. Davis not to let the body go without him, or he should be money out of pocket. May then went on to say, that he went to his own house and slept there that night, and the next morning he went to Guy's, and Bishop and Shields came in with a hamper, which was taken to King's College, where he was taken into custody."

John Williams stated, "That in the first place he met Bishop on Saturday morning, the 5th of November, in Long-lane, Smithfield, and asked him where he was going. He said he was going to the King's College. They went into the Fortune-of-War public-house; and, after that, Bishop went to Guy's Hospital, and then to the King's College. May and the porter met them against the gate. Bishop went in, and he (Williams) asked him to let him go in with him. That was all he had got to say, except that a porter took a basket from the Fortune-of-War to Guy's Hospital, and he (Williams) helped him part of the way with it."

The case being thus concluded at the police-office, the prisoners Bishop, Williams, and May, were committed to Newgate to take their trial. Shields, however, who, it was admitted on all hands, was only the porter

Digitized by Google

employed by the other prisoners to carry the body, and of whose knowledge of the murder there was not the smallest evidence, was discharged out of custody.

We shall now lay before our readers the statement of the circumstances attending the identification of the clothes found at the house which had been occupied by the prisoner Williams, at Nova Scotia Gardens, and which eventually proved to have belonged to a woman named Frances Pigburn, another victim to the designs of these atrocious conspirators. Three persons,—named Mrs. Lowe, wife of James Lowe, of Great Charles-street East, City-road; Mrs. Mayo, her daughter; and a Mrs. Hitchwell—came forward at Bow-street on Saturday, the 26th of November, to speak as to their belief of the identity of the clothes, and to give an account of the disappearance of the unfortunate woman to whom they belonged.

Mrs. Lowe stated, that Mrs. Pigburn was her sister, and was forty years of age. On the night of the 15th of October, she left her house to go to a Mr. Campion's, in Church-street, about half-a-mile from Bishop's cottage, where she intended to sleep, and where witness promised to call upon her on the ensuing morning. On the following morning witness did call at Campion's, but, to her surprise, discovered that her sister was not there, as she had left on the preceding evening, at nine o'clock, to seek another lodging, from their inability to accommodate her. From that morning they had heard no tidings of her, till their suspicions were aroused by the perusal of a bill, put forth by Mr. Thomas, describing the female attire already alluded to. These she determined to examine, and for that purpose went to the station-house, where she at once recognised them to be those of her sister; she could speak positively to the camlet cloak, plaid gown, &c.; she could not speak to the petticoat and shift, the former of which had marks of blood upon it.

Mr. Thomas stated that a further search had been made at the house of Bishop, and in the garden a well had been discovered, from the bottom of which a shawl, which he produced, had been brought up. Mrs. Lowe was able to identify this also as having belonged to her sister; and he gave it as his opinion that in all probability the poor woman had been inveigled into the premises, and thrust head-foremost into the well, where her shawl had fallen in the struggle.

Mrs. Hitchwell, who knew the deceased intimately, also recognised the pocket, and produced the fellow to it; both pockets had been made by a Mrs. Bell, who gave Mrs. Pigburn one, and her the other; both pockets were made of blue cloth, and singularly formed; to the other articles she also spoke with confidence, having seen Mrs. Pigburn wear them on the 15th of October, which was also the last day she had seen her.

Mrs. Mayo, niece to Frances Pigburn, also identified the clothes, and spoke more particularly to the shawl, which she had seen Mrs. Pigburn wear.

Mr. Minshull said no doubt could exist that the clothes were the same which had been worn by Frances Pigburn, and he feared there was as little doubt that the poor woman had been murdered. It was inferred that the body had been sold for the purposes of dissection, and the clothes thrown down the privy to avoid detection. In all probability the poor creature was in search of lodgings, and being met by some of the infernal gang, was lured into their den and there destroyed. To what extent these horrors had been committed it was impossible to imagine.

Digitized by Google

A further warrant for the detention of Bishop, May, and Williams, upon this fresh charge, was then made out, and Mr. Thomas was requested to make every possible inquiry among the hospitals and dissecting-rooms in the metropolis, to ascertain, if possible, whether any body, answering the description of Mrs. Pigburn, had been offered for sale by any of the prisoners within the last six weeks. Mr. Thomas said he would not relax his efforts to throw every light on these horrible transactions, and thus the inquiry terminated.

On Friday, December the 2nd, 1831, the prisoners Bishop, May, and Williams, were placed at the bar of the Old Bailey to take their trial, upon the charge of murder preferred against them.

The court was crowded to excess at eight o'clock in the morning, the greatest anxiety being manifested to witness the proceedings.

The indictment charged the prisoners with the wilful murder of Carlo Ferrari, and the second count with the wilful murder of a male person, whose name was unknown. At ten o'clock Chief Justice Tindal, Mr. Justice Littledale, and Mr. Baron Vaughan took their seats upon the bench, the remaining portion of which was instantly occupied by members of the nobility and persons of distinction, amongst whom was observed His Royal Highness the Duke of Sussex.

The prisoners, on being placed at the bar, seemed but little moved by the awful situation in which they were at that moment placed; and they encountered the inquisitive glances of the assembled crowd with a careless air. Their appearance rather indicated low cunning than hardened ferocity.

Mr. Bodkin having opened the case,

Mr. Adolphus proceeded to state the leading facts of it to the jury. In doing so, he said that he did not feel it necessary to solicit their most serious attention to it, for he knew that it would receive such attention from them, being a case in which the three prisoners at the bar stood charged with the foul crime of murder; and one of which, as persons living in society, they must have heard a great deal for many days past. Aware as he was that they knew this to be a case of great and important interest, he felt certain that they required no suggestions from him to induce them to pay the strictest attention to all its details; and having alluded to the interest which it excited out of doors, he was sure that he need scarcely remind them, that they should not allow themselves to be at all swayed by any thing that they might have heard with regard to this case previous to their entering that box, but that their duty there was merely to judge the case by the evidence which should be laid before them. When he spoke of their deciding on this case according to the evidence which should be laid before them, he begged to say that there was one point to which he was anxious to call their particular attention. In cases of murder, it often happened that the direct evidence of eye-witnesses could not be produced as to the blow which had been struck, or the injury which had been inflicted, and the infliction of which constituted the crime; but it was settled by the constitution of this country, that in all cases of the kind a jury might select, from the circumstances of the evidence laid before them, such facts as might produce a conviction in their minds as to the guilt of the prisoners charged with the offence. The application of the facts and circumstances of a case for such a purpose

Digitized by Google

was, by the law of the land, vested in a jury constituted as they now were;—and it was for them to decide according to the evidence which should be laid before them, as it appeared to their minds; it was for them, after they had heard the great body of evidence which would be submitted to them in this case, to say whether the prisoners were or were not guilty of the heinous crime laid to their charge. If the facts which would be laid before them should produce on their minds a conviction of the guilt of the prisoners, he was sure that they would without hesitation pronounce a verdict which would consign some, if not all of them, to a certain, speedy, and ignominious death; and he was equally sure that if an opposite conviction was the result of the evidence, the jury would at once acquit the prisoners at the bar. Without further introduction, he would proceed to state to them the facts which had given rise to this painful and extraordinary inquiry, as he felt justified in calling it; for the murder to which it had reference did not appear to have been committed through any of those motives that had ordinarily occasioned the commission of such a crime in this country. It was not to gratify revenge for wrong done, that the unfortunate victim, in this instance, had been deprived of existence. The minds of his murderers were stimulated by no passion of that description to the commission of the dreadful deed. Neither wealth, nor the other common allurements which influenced the actions of wicked men under such circumstances, had impelled them to perpetrate this crime. Nothing but the sordid and base desire to possess themselves of a dead body, in order to sell it for dissection, had induced the prisoners at the bar to commit the crime for which they were now about to answer before a jury of their countrymen.

The learned gentleman then proceeded to detail the facts of the case, as they were afterwards stated in the evidence subsequently produced. He dwelt in terms of well-deserved eulogy on the meritorious exertions of Mr. Thomas, the superintendant of police, and of Mr. Corder, the vestry-clerk of St. Paul's, Covent-garden, in prosecuting the inquiry which had led to the trial. He acknowledged that the case depended on circumstantial evidence; but he contended that a large and well-connected body of such testimony was, in many cases, superior to the positive declarations of eye-witnesses. The judgment of an eye-witness might be deceived; but it was impossible that the jury, after putting all the circumstances of the case together, and weighing them seriously and deliberately, could be mistaken in their decision; it was for them to say, after doing so, whether the prisoners at the bar were, or were not guilty of the crime with which they stood charged. He was convinced that they would give this important case the deep and serious attention which it deserved; and he relied confidently on the integrity and good sense of a British jury, which a long life of practice had left him no room to doubt.

The evidence, the particulars of which we have recited, was then adduced, Mr. Curwood and Mr. Barry, on behalf of the prisoners, cross-examining the witnesses examined, with little effect in impugning their evidence.

The prisoners being called on for their defence, they put in written statements. Bishop's was first read to the Court. He said that he was thirty-three years of age, and had followed the occupation of a carrier till the last five years, during which he had occasionally obtained a livelihood

Digitized by Google

by supplying surgeons with subjects. He most solemnly declared that he had never disposed of any body that had not died a natural death. He had been in the habit of obtaining bodies from workhouses, with their clothes on, so that he could have no difficulty in procuring them after a natural death. The statement then went on to describe the localities of the prisoner's residence, in order to show that they admitted of great facilities of ingress and egress to all persons in the neighbourhood. His garden and premises were open to them, and theirs to him. With respect to the clothes found in his garden, he knew nothing. As to the cap, he should be able to prove that it was bought by his wife from a woman named Dodswell, who resided in Hoxton Old Town. The prisoner called upon the jury to divest their minds of all undue prejudices, and judge his case by the evidence alone. By so doing, they would be discharging their duty, and would acquit him of the crime then alleged against him. In conclusion, the prisoner declared that neither Williams nor May knew how he had procured the body.

Williams' defence briefly stated that he had never been engaged in the business of a resurrectionist; and that he had only, by accident, accompanied Bishop on the sale of this body.

May admitted his employment, for the last six years, in the disgusting trade of selling dead bodies, but he denied that he had ever had anything to do with the sale of subjects which had not died a natural death. He then repeated the explanation of his conduct on this occasion, which he had before given; and stated that, on the night of the supposed murder, he was sleeping with a girl named Carpenter.

Rosina Carpenter was then examined, and deposed that the prisoner May came to her on the afternoon of Thursday, the 3rd of November, at her lodgings in Macbeth-court, Golden-lane, and that he stayed with her until twelve o'clock the next day. She had known him for fourteen or fifteen months, and had been frequently in his company.

Mrs. Mary Dodswell, of 26, Hoxton Old Town, was called to prove the sale of the brown cap to Bishop's wife; but her evidence totally failed in this particular.

The Chief Justice then proceeded to recapitulate the evidence to the jury, first warning them of the necessity of founding their decision on the evidence then adduced, without being at all influenced by statements made elsewhere. The indictment contained two counts — one charging the prisoners at the bar with the murder of Carlo Ferrari, an Italian boy; the other with the murder of a boy, name unknown. The jury would learn from this circumstance, that it was by no means necessary that the name of the murdered party should be known, and that all that they had to decide was, the fact itself. They accordingly would first direct their attention to the determining the fact whether the body which the prisoners had proffered for sale had come by a natural death or not; and next, whether, if they were of opinion that it had not, the prisoners were the murderers, and to what degree they were implicated. With respect to the first point, he thought they would experience but little trouble after the explicit evidence of the medical gentleman who had been that day examined, and whose conduct, it was but justice to say, was an honourable rebuke to any calumnious imputation on the medical profession to which the present case might have given birth. The learned judge then went

Digitized by Google

through the evidence with the most pains-taking minuteness, commenting on those points which, in his mind, would enable the jury to determine the guilt of the prisoners, and their share in the crime. The evidence, to show that May was present, or participated in the actual offence, he remarked, was by no means decisive; so that the jury would have to determine how far he was, or was not, a principal or accessory. It might be that they would arrive at the conclusion that Bishop alone, or Bishop and Williams, were the criminals,—and in such case they would find a verdict of acquittal for May; or it might be, that they would find that all three were equally guilty; or that they were guilty, but not in an equal degree. Their verdict would be according to their decision on this point, rendering it incumbent on them cautiously to weigh those parts of the evidence which bore particularly on Bishop and Williams, and on the other prisoner. He left it to their unbiassed judgment, to find according to the evidence which had been submitted to them.

At eight o'clock the jury retired to consider their verdict, and the prisoners were removed from the bar, and taken out of court. The interval between that and the return of the jury, was a period of intense anxiety to every one in court; and, as is usual on such occasions, there were various conjectures hazarded as to what would be the verdict. That a verdict of "Guilty" would be returned against two of the prisoners, namely, Bishop and Williams, none who had heard the evidence, and the summing up of the learned judge, could doubt; but the same confident opinion by no means existed with respect to the fate of the prisoner May.

These conjectures and speculations were put an end to by the return of the jury at half-past eight o'clock.

The most death-like silence now prevailed throughout the court, interrupted only by a slight buz on the re-introduction of the prisoners.

Every eye was fixed upon them; but though their appearance and manner had undergone a considerable change since their being first placed at the bar, they did not seem conscious of the additional interest which their presence at this moment excited.

Bishop advanced to the bar with a heavy step, and with a slight bend of the body; his arms hung closely down, and it seemed a kind of relief to him, when he took his place, to rest his hand on the board before him. His appearance, when he got in front, was that of a man who had been for some time labouring under the most intense mental agony, which had brought on a kind of lethargic stupor. His eye was sunk and glassy; his nose drawn and pinched; the jaw fallen, and the mouth open; but occasionally the mouth closed, the lips became compressed, and the shoulders and chest raised, as if he were struggling to repress some violent emotion. After a few efforts of this kind, he became apparently calm, and frequently glanced his eyes towards the bench and the jury-box; but this was done without once raising his head. His face had that pallid appearance which so often accompanies and betokens great mental suffering.

Williams came forward with a short quick step; and his whole manner was the reverse of that of his companion in guilt. His face had undergone very little change; but in his eye and in his manner there was a feverish anxiety, which was not to be observed during the trial. When he came in front, and laid his hand on the bar, the rapid movement of his fingers

Digitized by Google

on the board—the frequent shifting of the hand, sometimes letting it hang down for an instant by his side, then replacing it on the board, and then resting his side against the front of the dock, showed the perturbed state of his feelings. Once or twice he gave a glance round the bench and the bar, but after that he seldom took his eye from the jury-box.

May came forward with a more firm gait than either of his fellow-prisoners; but his look was that of a man who thought that all chance of life was lost. He seemed desponding; but there appeared that in his despondency which gave an air of—we could not call it daring, or even confidence—we should rather say, a physical power of endurance, which imparted to his whole manner a more firm bearing than that of the other prisoners. He was very pale, but his eye had not relaxed from that firmness which was observable in his glance throughout the whole of the trial.

Ordinary physiognomists, who (without having seen the prisoners) had read the accounts of their examinations at the police-office—of their habits and mode of living, and the horrible atrocities with which there is now no doubt they were familiar—would have been greatly disappointed in the appearance of all of them as they stood at the bar. There was nothing in the aspect or manner of any of them which betokened a predisposition to anything like the outrage on humanity of which they stood convicted. There was something of heaviness in the aspect of Bishop, but altogether his countenance was mild. Williams had that kind of expression with which men associate the idea of sharpness and cunning, and something of mischief, but nothing of the villain. May, who was the best-looking of the three, had a countenance which most persons would consider open and manly. There was an air of firmness and determination about him; but neither in him nor his companions was there the slightest physiognomical trait of a murderer, according to the common notions on the subject.

When the three prisoners were placed at the bar, the names of the jury were called over, and on being asked whether they had agreed to their verdict, they answered that they had.

The question was then put to them as to each of the prisoners, and they returned as their verdict, that John Bishop, Thomas Williams, and James May were severally "Guilty of murder."

The verdict was received in court with becoming silence; but in a moment it was conveyed to the immense multitude assembled outside, who evinced their satisfaction at the result, by loud and long-continued cheering and clapping of hands. To such an extent was this expression of the popular feeling carried, that the windows of the court were obliged to be closed, in order that the voice of the Recorder might be heard in passing sentence.

The prisoners were severally called upon to say why sentence of death and execution should not be pronounced upon them; but none of them availed themselves of this opportunity of addressing the Court.

The Recorder then proceeded to pass the awful sentence of death upon them, but was for some moments again interrupted by the renewed shouts of the populace from without. Silence having been restored, the learned judge proceeded:—

"Prisoners at the bar, you have been tried by a most attentive and extremely humane jury; and I may say of them, as I have been frequently

Digitized by Google

called upon to say before of juries in that box, that nothing but the most painful feelings of duty, imposed on them under a solemn obligation to their Maker and the public, could have induced them to pronounce a verdict against fellow-creatures, which sentenced them to die. That they have formed a just conclusion—[Here Williams exclaimed, "It is false evidence!"]—every man of common understanding must allow. I shall not detain you long by the few observations which I have to make, considering that your hours are numbered, and that there will be but a very short time between the present moment and that when you will have to appear in the presence of your Creator, to answer for the crime which has this day been proved against you. You have each of you been committed to jail for nearly a month; and I hope that you have employed that time in looking back upon the course of your guilty lives—for most guilty they have been—violating the laws of your country, and harrowing up the feelings of every relation that may have lost one that was dear to him. I hope from the time you have been in the jail, conscience-stricken as you must have been, you have turned your thoughts to the only source that remained for you—that of diligently seeking that mercy which you may even yet hope for by sincere repentance, and ardent and constant prayers to the Almighty. But if you have lost those precious moments, let me at all events exhort you not to lose another instant of that short period which the laws of society still leave you. The inhumanity and cruelty with which you have committed this crime, have spread a degree of horror through the metropolis, and indeed, I may say, through the whole country. But deeply as you have injured society, and perilously violated the laws, those laws, which are always administered with charity, have provided that in your awful situation you shall have the most zealous assistance of a pious and excellent clergyman of the Church of England, or of any other church to which you may belong; and I hope you will not neglect the solemn warnings and kind admonitions which you will receive from that quarter. I will not trespass on you by making any further observations, but now confine myself to the last painful duty which the law requires of the Court, viz., to pass the awful and dreadful sentence of the law; and that is, that you, John Bishop, you Thomas Williams, and you James May, be taken from this bar to the place from whence you came, and from thence, on Monday morning next, you be taken to the place of execution, and there each of you be hanged by the neck till each of you be dead, after which your bodies are to be given to the surgeons for dissection; and may the Lord God Almighty, the father of all mercies, have mercy on your miserable souls."

The prisoners scarcely gave any intimation, by their outward appearance, of the awful situation in which they were placed. They were immediately removed from the bar; but before they quitted the court, May exclaimed, "I am a murdered man;" and Williams leaned over the front of the bar, and muttering and pointing at some of the witnesses, declared that they were all murdered men, and that the witnesses would suffer for the false evidence they had given.

During the period which intervened between the conviction of the prisoners and the execution of Bishop and Williams (who only underwent the extreme penalty of the law), the most earnest exhortations were employed to induce a full confession of their guilt. The Rev. Mr. Cotton,

Digitized by Google

the ordinary, remained in constant attendance on the prisoners, and by his exertions evidently produced considerable impression on their minds. On the nights of Friday and Saturday, two men sat up with each of the convicts, and the little sleep which they were able to procure was frequently disturbed.

On Sunday the usual sermon was preached in the jail chapel, and after that the prisoners Bishop and Williams, being placed in the same cell, were visited by the ordinary and under sheriffs, to whom they made the following confessions.

We give these statements as they were delivered by the prisoners, but serious doubts, even amounting to positive belief, are entertained that they were not full declarations of the crimes of which the wretched malefactors had been guilty.

"Newgate, December 4, 1831.

"I, John Bishop, do hereby declare and confess that the boy supposed to be the Italian boy was a Lincolnshire boy. I and Williams took him to my house about half-past ten o'clock on Thursday night, the 3rd of November, from the Bell, in Smithfield. He walked home with us. Williams promised to give him some work. Williams went with him from the Bell to the Old Bailey watering-house, whilst I went to the Fortune-of-War. Williams came from the Old Bailey watering house to the Fortune-of-War for me, leaving the boy standing at the corner of the court by the watering-house in the Old Bailey. I went directly with Williams to the boy, and we then walked all three to the Nova Scotia-gardens, taking a pint of stout at a public-house near Holywell-lane, Shoreditch, on our way, of which we gave the boy a part; we only staid just to drink it, and walked on to my house, where we arrived at about eleven o'clock. My wife and children and Mrs. Williams were not gone to bed, so we put him in the privy, and told him to wait there for us. Williams went in and told them to go to bed, and I remained in the garden. Williams came out directly, and we both walked out of the garden a little way to give time for the family getting to bed; we returned in about ten minutes or a quarter of an hour, and listened outside the window to ascertain whether the family were gone to bed. All was quiet; and we then went to the boy in the privy, and took him into the house; we lighted a candle, and gave the boy some bread-and-cheese; and after he had eaten, we gave him a cup full of rum, with about half a small phial of laudanum in it. I had bought the rum the same evening in Smithfield, and the laudanum also in small quantities at different shops. There was no water or other liquid put into the cup with the rum and laudanum. The boy drank the contents of the cup directly in two draughts, and afterwards a little beer. In about ten minutes he fell asleep in the chair on which he sat, and I removed him from the chair to the floor and laid him on his side. We then went out and left him there. We had a quartern of gin and a pint of beer at the Feathers, near Shoreditch Church, and then went home again, having been away from the boy about twenty minutes. We found him asleep as we had left him. We took him directly, asleep and insensible, into the garden, and tied a cord to his feet, to enable us to pull him up by; and I then took him in my arms, and let him slide from them headlong into the well in the garden; whilst Williams held the cord to prevent the body going altogether too low in the well. He was nearly wholly in the water, his feet being just

Digitized by Google

above the surface. Williams fastened the other end of the cord round the paling, to prevent the body getting beyond our reach. The boy struggled a little with his arms and legs in the water, and the water bubbled a minute. We waited till these symptoms were passed, and then went indoors, and afterwards I think we went out and walked down Shoreditch to occupy the time; and in three quarters of an hour we returned, and took him out of the well, by pulling him by the cord attached to his feet. We undressed him in the paved yard, rolled his clothes up, and buried them where they were found by the witness who produced them. We carried the boy into the wash-house, laid him on the floor, and covered him over with a bag. We left him there, and went and had some coffee in Old-street-road, and then (a little before two in the morning of Friday) went back to my house. We immediately doubled the body up, and put it into a box, which we corded so that nobody might open it to see what it was, and then went again and had some more coffee at the same place in the Old Street-road, where we staid a little while, and then went home to bed—both in the same house, and to our own beds, as usual. We slept till about ten o'clock on Friday morning, when we got up, took breakfast together with the family, and went both of us to the Fortune-of-War in Smithfield. We had something to eat and drink there; and after we had been there about half-an-hour, May came in. I knew May, but had not seen him for a fortnight before. He had some rum with me at the bar, Williams remaining in the tap-room May and I went to the door. I had a smock frock on, and May asked where I had bought it? I told him, in Field-lane. He said he wanted to buy one, and asked me to go with him; I went with him to Field-lane, where he bought a frock at the corner shop. We then went into a clothes' shop in West-street to buy a pair of breeches, but May could not agree about the price; he was rather in liquor, and sent out for some rum, which we and the woman in the shop drank together. May said he would treat her, because he had given her a good deal of trouble for nothing. We then returned to the Fortune-of-War, and joined Williams, and had something more to drink; we waited there a short time, and then Williams and I went to the West-end of the town, leaving May at the Fortune-of-War. Williams and I went to Mr. Tuson's, in Windmill-street, where I saw Mr. Tuson, and offered to sell him a subject, meaning the boy we had left at home. He said he had waited so long for a subject which I had before undertaken to procure him, that he had been obliged to buy one the day before. We went from thence to Mr. Carpue's in Dean-street, and offered it to him in the lecture-room with other gentlemen. They asked me if it was fresh; I told them, 'Yes,' and they told me to wait. I asked them ten guineas; and after waiting a little, a gentleman there said they would give eight guineas, which I agreed to take, and engaged to carry it there the next morning at ten o'clock. I and Williams then returned to the Fortune-of-War; we found May in the tap-room; this was about a quarter before four o'clock in the afternoon; we had something to drink again, and I called May out to the outside of the house, and asked what was the best price given for 'things?' He said he had sold two the day before for ten guineas each, I think. I told him I had a subject; he asked what sort of one; I said, a boy about fourteen years old, and that I had been offered eight guineas for it. He said, if it was his, he would not take it; he could

Digitized by Google

take it where he sold his for more. I told him all he could get above nine guineas he might have for himself, and we agreed to go presently and get a coach. I and May then went to the bar and had something more to drink, and then, leaving Williams at the Fortune-of-War, we went and tried to hire a cab in the Old Bailey. The cabman was at tea at the watering-house, and we went in and spoke to him about a fare, and had tea also there ourselves. Whilst we were at tea, the cabman went away, and we found him gone from the stand when we came out. We then went to Bridge-street, Blackfriars, and asked a coachman whether he would take such a fare as we wanted; he refused, and we then went to Farringdon-street, where we engaged a yellow chariot. I and May got in, drove to the Fortune-of-War, and (Williams having joined us at the George, in the Old Bailey) we then drank something again; and then, at about six o'clock, we all three went in the chariot to Nova Scotia-gardens. We went into the wash-house, where I uncorded the box and showed the body to May. He asked, 'How are the teeth?' I said I had not looked at them. Williams went and fetched a brad-awl from the house, and May took it and forced the teeth out. It is a constant practice to take the teeth out first; because, if the body be lost, the teeth are saved. After the teeth were taken out, we put the body in a bag and took it to the chariot. May and I carried the body, and Williams got first into the coach, and then assisted in pulling the body in. We all then drove off to Guy's Hospital, where we saw Mr. Davis, and offered to sell the body to him. He refused, saying that he bought two the day before of May. I asked him to let us leave it there until the next morning; he consented, and we put it into a little room, the door of which Mr. Davis locked. Williams was during this left in the chariot. I told Mr. Davis not to let the subject go to anybody unless I was there, for it belonged to me; and May also told him not to let it go unless he was present, or else he should be money out of pocket. I understood this to mean the money paid by May for our tea at the Old Bailey (about 4*s*.), and the coach-fair, which we had agreed with the coachman should be 10*s*. May had no other interest in, or right to the money to be obtained for the body, except for such payments, and for what he could get above nine guineas, as I had promised him. May paid the coachman 10*s*. on our leaving the hospital; but, before we discharged the coach, May and I ran to Mr. Appleton, at Mr. Grainger's school, leaving Williams with the coach. We offered the subject to Mr. Appleton, but he declined to buy it; and then May and I joined Williams, discharged the coach, and went to a public-house close by to have something to drink. After this we got into a coach in the Borough, and drove again to the Fortune-of-War, where we had something more to drink: this was about eight o'clock in the evening. We all three staid there about an hour, and then went out, got a coach in Smithfield, and went towards Old-street-road—stopped in Golden-lane with the coach, and drank something, and then on to Old-street. At the corner of Union-street—the Star corner—May got out of the coach and said he was going home, and I and Williams drove to the corner of Old-street and Kingsland-road, where we got out and paid the coach-fare out of the money lent us by May, he having advanced each of us 3*s*. We then walked home, and went to bed that night as usual. We had agreed with May, on his leaving us, to meet him at Guy's Hospital at nine o'clock the next morning (Saturday). I

Digitized by Google

and Williams went at eight o'clock on Saturday morning to the Fortune-of-War, where we met Shields, the porter, and engaged with him to go with us over the water to carry a subject. I wished him to go to Bartholomew's Hospital for a hamper I had seen there; but he refused, and I fetched it myself. We had a pint of beer, and I, and Williams, and Shields, went to Guy's Hospital, Shields carrying the hamper. We met May there. Williams and Shields went to a public-house, whilst I and May went to Mr. Appleton and offered him the subject again. He again refused to buy it, saying he did not want it. May and I then joined Shields and Williams, and had some drink, and then left them again; crossed the water in a boat to the King's College, where we inquired of Mr. Hill, the porter, whether he wanted a subject? He said he was not particularly in want, but would speak to Mr. Partridge, the demonstrator. Mr. Partridge came, and asked what the subject was? May said, 'A male subject.' Mr. Partridge asked the price. May said twelve guineas. Mr. Partridge said he could not give so much, and went away. Mr. Hill asked us to stay a few minutes while he went after Mr. Partridge, to speak to him again. Hill returned, and said Mr. Partridge would give nine guineas. May said, 'he would be d—d if it should go in under ten guineas.' He was in liquor, and, on his moving a little way off, I took the opportunity of saying to Hill that it should come in at nine guineas. I told May directly after, that I had sold it for nine guineas, and that I would out of it pay him what I had of him, and give him something besides. We then got into a cabriolet, and went back to Williams and Shields at the public-house, where all four of us had some beefsteaks and beer; and afterwards we went to Guy's Hospital, packed the body in the hamper, and put it on Shields' head, telling him to take it to the King's College, where we went, Williams and Shields walking, and I and May riding part of the way in a cab. On reaching the King's College, we carried the body into the theatre, and then into a little room, where we took the body out. Mr. Hill looked at it, and asked what it died of? May answered he did not know, and it did not concern him. Mr. Hill asked us how a cut which was on the forehead came? I answered, that it was done by May throwing the body out of the sack on the stones, which was the truth. Hill told us to remain in the other room, and he would bring us the money. We went into the other room, and waited for some time, when Mr. Partridge came to us and showed me a 50*l.* note, and said he must go and get it changed, as he had not sufficient money without, and he pulled out his purse and counted three or four sovereigns. I said he might let us have that, and give us the remainder on Monday; but he said, 'No—he would rather pay it altogether;' and went away. We waited some time, when the police-officers came and took us into custody.

(*Signed*) "JOHN BISHOP.

"*Witness*, ROBERT ELLIS, Under-Sheriff."

"I declare that this statement is all true, and contains all the facts as far as I can recollect. May knew nothing of the murder; and I do not believe that he suspected I had got the body, except in the usual way, and after the death of it. I always told him that I got it from the ground, and he never knew the contrary until I confessed to Mr. Williams since the trial. I have known May as a body-snatcher four or five years, but I do not believe he ever obtained a body except in the common course of men in

Digitized by Google

that calling—by stealing from the graves. I also confess that I and Williams were concerned in the murder of a female, whom I believe to have been since discovered to be Frances Pigburn, on or about the 9th of October last. I and Williams saw her sitting about eleven or twelve o'clock at night on the step of a door in Shoreditch, near the church. She had a child, four or five years old, with her on her lap. I asked why she was sitting there? She said she had no home to go to, for her landlord had turned her out into the street. I told her she might go home with us, and sit by the fire all night; she said she would go with us, and walked with us to my house, in Nova Scotia-gardens, carrying her child with her. When we got there, we found the family in bed, and we took the woman in, and lighted a fire, by which we all sat down together. I went out for beer, and we all partook of beer and rum—(I had brought the rum from Smithfield in my pocket). The woman and her child lay down on some dirty linen on the floor, and I and Williams went to bed; about six o'clock next morning I and Williams told her to go away, and to meet us at the London Apprentice, in Old-street-road, at one o'clock: this was before our families were up. She met us again at one o'clock at the London Apprentice, without her child; we gave her some halfpence and beer, and desired her to meet us again at ten o'clock at night at the same place. After this we bought rum and laudanum at different places, and at ten o'clock we met the woman again at the London Apprentice: she had no child with her; we drank three pints of beer between us, and staid there about an hour. We should have staid there longer, but an old man came in, whom the woman said she knew, and she said she did not like him to see her there with anybody; we therefore all went out; it rained hard, and we took shelter under a doorway in the Hackney-road for about half-an-hour. We then walked to Nova Scotia-gardens, and Williams and I led her into No. 2, an empty house, adjoining my house. We had no light. Williams stepped out into the garden with the rum and laudanum, which I had handed to him; he there mixed them together in a half-pint bottle, and came into the house to me and the woman, and we gave her the bottle to drink; she drank the whole in two or three draughts; there was a quartern of rum and about half-a-phial of laudanum; she sat down on the step between the two rooms in the house, and went off to sleep in about ten minutes; she was falling back; I caught her to save her fall, and laid her back on the floor. Then Williams and I went to a public-house, got something to drink, and in about half-an-hour came back to the woman; we took her cloak off, tied a cord to her feet, carried her to the well in the garden, and thrust her into it headlong; she struggled very little afterwards, and the water bubbled a little at the top; we fastened the cord to the palings to prevent her going down beyond our reach, and left her, and took a walk to Shoreditch and back in about half-an hour; we left the woman in the well this length of time, that the rum and laudanum might run out of the body at the mouth. On our return we took her out of the well, cut her clothes off, put them down the privy of the empty house, carried the body into the wash-house of my own house, where we doubled it up, and put it into a hair-box, which we corded, and left it there. We did not go to bed, but went to Shields' house in Eagle street, Red Lion-square, and called him up; this was between four and five o'clock in the morning. We then went with Shields

Digitized by Google

to a public-house near the Sessions House, Clerkenwell, and had some gin, and from thence to my house, where we went in and staid a little while to wait the change of the police. I told Shields he was to carry the trunk to the London Hospital. He asked if there was a woman in the house who could walk alongside of him, so that people might not take any notice. Williams called his wife up, and asked her to walk with Shields, and to carry a hat-box, which he gave her. There was nothing in it, but it was tied up as if there were. We then put the box with the body on Shields' head, and went to the hospital, Shields and Mrs. Williams walking on one side of the street, and I and Williams on the other. At St. Thomas's Hospital I saw Mr. South's footman, and sent him up stairs to Mr. South to ask if he wanted a subject. The servant brought me word that his master wanted one, but could not give an answer until the next day, as he had not time to look at it. During this interview, Shields, Williams, and his wife were waiting at a public-house. I then went to Mr. Appleton, at Mr. Grainger's, and agreed to sell it to him for eight guineas; and afterwards I fetched it from St. Thomas's Hospital and took it to Mr. Appleton, who paid me 5*l.* then, and the rest on the following Monday. After receiving the 5*l.* I went to Shields and Williams and his wife at the public-house, when I paid Shields 10*s.* for his trouble, and we all went to the Flower-pot in Bishopsgate, where we had something to drink, and then went home. I never saw the woman's child after the first time before-mentioned. She said she had left the child with the person she had taken some of her things to, before her landlord took her goods. The woman murdered did not tell us her name; she said her age was thirty-five, I think, and that her husband, before he died, was a cabinet-maker. She was thin, rather tall, and very much marked with the small-pox.—I also confess the murder of a boy, who told us his name was Cunningham. It was a fortnight after the murder of the woman. I and Williams found him sleeping, about eleven or twelve o'clock at night, on Friday, the 21st of October, as I think, under the pig-hoards in the pig-market at Smithfield. Williams woke him, and asked him to come along with him (Williams), and the boy walked with Williams and me to my house in Nova Scotia-gardens. We took him into my house and gave him some warm beer, sweetened with sugar, with rum and laudanum in it. He drank two or three cups full, and then fell asleep in a little chair belonging to one of my children. We laid him on the floor and then went out for a little while and got something to drink, and then returned, carried the boy to the well, and threw him into it in the same way as we served the other boy and the woman. He died instantly in the well, and we left him there a little while to give time for the mixture we had given him to run out of his body. We then took the body from the well, tore off the clothes in the garden, and buried them there. The body we carried into the wash-house, and put it into the same box, and left it there till the next evening, when we got a porter to carry it with us to St. Bartholomew's Hospital; where I sold it to Mr. Smith for eight guineas. This boy was about ten or eleven years old; said his mother lived in Kent-street, and that he had not been home for a twelvemonth and better. I solemnly declare that these are all the murders in which I have been engaged, or that I know anything of; that I and Williams were alone concerned in these, and that no other person whatever knew anything

Digitized by Google

about either of them; and that I do not know whether there are others who practise the same mode of getting bodies for sale. I know nothing of any Italian boy, and was never concerned in, or knew of the murder of such a boy. There have been no white mice about my house for the last six months. My son, about eight months ago, bought two mice, and I made him a cage for them. It was flat, with wires at the top. They lived two months, and were killed, I think, by a cat in the garden, when they got out of the cage. They were frequently seen running in the garden, and used to hide in a hole under the privy. I and my wife and children saw one of them killed by a cat whilst we were at tea. Until the transactions before set forth, I never was concerned in obtaining a subject by the destruction of the living. I have followed the course of obtaining a livelihood as a body-snatcher for twelve years, and have obtained and sold, I think, from five hundred to a thousand bodies; but I declare, before God, that they were all obtained after death, and that, with the above exceptions, I am ignorant of any murder for that or any other purpose.

"JOHN BISHOP.

"*Witness*, ROBERT ELLIS. U. S."

"I, Thomas Head, *alias* Williams, now under sentence of death in Newgate, do solemnly confess and declare the foregoing statement and confession of John Bishop, which has been made in my presence, and since read over to me distinctly, is altogether true, so far as the same relates to me. I declare that I was never concerned in, nor privy to, any other transaction of the like nature; that I never knew anything of the murder of any other person whatever; that I was never a body-snatcher, nor concerned in the sale of any other body than the three murdered by Bishop and myself; that May is a stranger to me; and that I had never seen him more than once or twice before Friday, the 4th of November last; and that May is wholly innocent, and ignorant of any of those murders in which I was concerned, and for one of which I am about to suffer death.

"THOMAS HEAD.

"*Witness*, R. ELLIS."

"Newgate, 4th December, 1831.

"The above confessions, taken literally, from the prisoners, in our presence.

"T. WOOD. R. ELLIS. *Under-Sheriffs.*"

It was not until subsequently to the delivery of these statements, that May was acquainted with the merciful consideration which his case had received.

Shortly after the arrival of the respite at Newgate, Dr. Cotton and Mr. Wontner went to the room in which the three prisoners were confined The reverend gentleman opened the paper, and began to read it aloud: the most anxious attention was paid to its contents by all the prisoners; but the interest manifested by May, who must have known that the fate of his miserable companions was sealed, but had felt that there was still hope for him, was quite painful to witness—his agitation was dreadful; but no sooner had Dr. Cotton repeated the words, "that the execution of the sentence upon John May shall be respited during his Majesty's most

Digitized by Google

gracious pleasure," than the poor wretch fell to the earth as if struck by lightning. His arms worked with the most frightful contortions, and four of the officers of the prison could with difficulty hold him; his countenance assumed a livid paleness, the blood forsook his lips, his eyes appeared set, and pulsation at the heart could not be distinguished. All persons present thought he could not possibly survive—it was believed, indeed, that the warrant of mercy had proved his death-blow. It was nearly a quarter of an hour before he was restored to the use of his faculties. At last, when recollection returned, he attempted to clasp his hands in the attitude of thanksgiving, but his limbs shook so violently that he found even that was impossible. His lips moved, but nothing but inarticulate sounds came from his tongue. The parties present soothed him with assurances that they knew what he meant to say, and with earnest entreaties that he would calm himself, and not attempt to speak. When restored to something like composure, May poured forth his gratitude to God, and his thanks to the humane gentlemen who had interested themselves in his behalf. He then explained, that when the reverend ordinary commenced reading the warrant, he thought that all hope was at an end—that the ceremony was to signify to him that he must die—the sudden revulsion of feeling when he heard the words we have quoted, caused him to swoon. He added, that on learning he was to be spared, he felt as if his heart had burst in his bosom. He declared most solemnly, now that he was out of jeopardy, as he had done before, that he had nothing to do with the murder for which he had been condemned to die. He had never been concerned—either directly or indirectly—in any murder; but he acknowledged he had committed many sins for which the Almighty might have justly left him to suffer on this occasion. He hoped now to lead a better life, and to evince his gratitude to God by sincere repentance.

It will hardly be credited that Bishop and Williams beheld this awful scene with an indifference approaching to apathy. The dreadful agitation of their less guilty associate seemed to have no effect upon them.

On Sunday night the criminals retired to rest at an early hour, but their efforts to obtain sleep appeared to be vain. They frequently awoke, and entered into conversation with the persons appointed to watch them. Occasionally they entered into religious observances, but generally were averse to them. Once, when the person who sat up with Williams proposed to read to him some extracts out of religious books left him by the ordinary, he roughly declined the proposal, saying, "I had religious talk enough during the day; I will have none of it to-night." He then entered into conversation with the officer upon the subject of the offence for which he was going to suffer. He solemnly assured him, that up to the time of his marriage, he had never had any connexion with resurrection-men; and even added, that it was not until his wedding-night that he had any idea that Bishop got his livelihood by that horrible trade. He told the officer, that on that night, shortly after he had got to bed, his wife conjured him not to have anything to do with the snatchers. This led to inquiries on his part, which terminated in a full disclosure by his wife of the practices by which his father-in-law (Bishop) supported his family. No communication took place between him and Bishop on the subject till some time afterwards, when he was suddenly thrown out of work. Bishop then gradually disclosed to him his mode of life, and asked him to become a

Digitized by Google

partner in the trade. Williams assented. He then became a regular resurrection-man; but, being tired with the difficulties and dangers of the trade, he proposed to Bishop that, instead of disinterring, they should murder subjects. He was then asked what led him to make such a proposal, and his reply was, "the recollection of what Burke had done at Edinburgh." After some other facts, tallying with those in Bishop's account, he stated, that on the Sunday after the murder of the woman Pigburn, they attempted to "Burke" a man whom they accidentally lured into their power. The laudanum, however, which they had mixed with his liquor was not strong enough, as Bishop said, to stupify him beyond resistance, and he was, therefore, allowed to escape, partly from a fear of his struggles, and partly from Bishop's arm being palsied by a similar feeling to that which palsied *Lady Macbeth's* arm in a similar situation—namely, the feeling that the man whom he was about to dispatch, "resembled his father as he slept." Still bent on their murderous trade, they endeavoured, on the following Tuesday, to get another subject by the same means. Again was the laudanum inefficient; and in this case, as in the former, the intended victim left the house in which he met these ruffians without any idea of his having been exposed to such great and imminent danger.

During a subsequent intermission of sleep, he wrote the following letter, addressed to Mr. Russell, the chaplain of the Penitentiary, in which prison he had once been confined for three years:—

"Newgate, 4th December, 1831.

"MR. RUSSELL—If you will be kind enough to let my brother prisoners know the awful death which I shall have suffered when you receive this, it will, through your expostulations, prevent them from increasing their crimes when they may be liberated; and tell them, bad company, and drinking, and blasphemy, is the foundation of all evil. Give my brotherly love to them, and tell them never to deviate from the paths of religion, and have a firm belief in their blessed Saviour. Give my love to John Edwards, John Justin, and John Dingle, and receive the prayers of the unfortunate and guilty—

"THOMAS HEAD." (His real name.)

Both prisoners rose at six o'clock in the morning, and were soon after visited by the reverend gentleman who had before attended them. Williams, at times, appeared fervent in his devotions, and prayed earnestly; but at intervals he would pause, and seem as if his prayer was hopeless; again he would resume his prayer, and clasp his hands in great agony. Bishop also prayed, but he by no means showed the same fervour as his companion. There was a listlessness in his manner approaching to indifference, not merely to religion, but to everything passing around him. At one time, when urged on the subject of his hope of forgiveness, he said he did hope and trust for mercy through Jesus Christ. He added, that he fully deserved what he was about to suffer, but that his case would be desperate if some greater mercy were not extended to him in the world which he was about to enter.

At half-past seven o'clock, the sheriffs, accompanied by the under-sheriffs, and several gentlemen to whom they had given permission to be present, entered the prison. The sheriffs immediately proceeded to the

Digitized by Google

condemned cells, where Mr. Wontner, the governor, delivered the prisoners up to them for execution. The sheriffs then proceeded to the press-room, to which the strangers who had obtained admission to the prison were also admitted. The prisoners were soon after introduced by the sheriffs' officers. Bishop entered first. That kind of stupor which had been noticed when the verdict of the jury was pronounced, was still more strongly upon him. He advanced in rather a drooping manner, his eye fixed on the ground. His step was slow, without being firm, and his whole bearing was rather that of a man unconscious of, than indifferent to, the dreadful scene through which he was about to pass. He had got more than half-way to the upper end of the room before he looked around; when he did, a kind of half-suppressed groan escaped him, as from one who was, for a moment, roused to a quick sense of an approaching violent death.

But it was only for a moment; for at once he seemed to relapse into his former stupor: his eye was again bent on the ground, and he moved mechanically up to the officer, who stood ready to tie his hands, and stretched forth his arms, the wrists being closely pressed together. When that part of the preparation was concluded, he turned round, and allowed his arms to be pinioned. This done, he took his seat at a side bench without uttering a word. One of the under-sheriffs took a seat by his side, and, in a low tone, asked him whether he had anything more to confess. His answer was, "No, sir, I have told all." The under-sheriff remained with him for a few moments, but the only answers which could be obtained from him were to the effect that he had nothing more to tell.

Williams was next introduced, and came up the room with the same short hasty step which was noticed at the time of his sentence. Since then, however, his whole appearance had undergone the most terrible alteration. That cunning and flippant air which was noticed in him on his trial had left him. His look, as he entered the press-room on Monday, was one of downright horror—every limb trembled as he approached the officer by whom he was to be pinioned, and his hands shook to that degree, that one person was obliged to hold them up while another bound them together. While submitting to this operation, he frequently ejaculated, "Oh, I have deserved all this and more!—oh, I have deserved all I am about to suffer!" One of the under-sheriffs now asked him whether he had anything more on his mind, or wished to make any further disclosure. He replied, "Oh no, sir, I have told all—I hope I am now at peace with God. What I have told is the truth."

After the operation of pinioning had been gone through, at a few minutes before eight, the sheriffs, accompanied by their officers and the prisoners, proceeded towards the scaffold, the ordinary reciting part of the funeral service. Bishop moved on in the same gloomy and desponding manner which we have noticed. His appearance underwent no change as he approached the foot of the scaffold. Williams became more and more agitated as he advanced. Just as he came to the room which led out to the drop, he expressed a wish to see the Rev. Mr. Russell once more. That gentleman came forward, and while Bishop was being led out, seated himself near him. Mr. Russell said to him, "Now, Williams, you have another moment intervening between this and death; and, as a dying man, I implore you, in God's name, to tell the truth; have you told me the whole truth?" Williams: "All I have told you, is true." Mr. Russell:

Digitized by Google

"But, Williams, have you told me all?" Williams, (still evasive): "All I have told you is quite true." This was the last remark he made, and in a few moments he ascended the scaffold.

The scene without the prison was no less exciting than that which was passing within the jail.

The execution of these wretched and atrocious criminals attracted, as might have been expected, an immense assemblage to the spot, and every possible preparation had been made by the civil authorities for the purpose of mitigating the pressure of the anticipated crowd. The crowd, as early as one o'clock in the morning, had amounted to several thousand persons, and continued rapidly increasing. By five o'clock nearly two-thirds of the Old Bailey were filled with a dense mass of people. The continued buz among the multitude at this time, the glare of light from the torches that were used for the purpose of enabling the workmen to proceed with their labours, and the terrific struggles among the crowd, altogether presented a scene which those who witnessed it will not soon forget. When the fatal drop was stationed in its usual place, it was observed that three chains were suspended from it. As soon as Mr. Wontner, the governor of Newgate, heard of it, he ordered an officer to remove one of them, in consequence of May having been respited. This was done; and, although it was then dark, it was instantly communicated throughout the vast assemblage, and a general cry of "May is respited!" was uttered.

At daybreak there were not less than from thirty thousand to forty thousand persons assembled. The tops of the houses, lamp-posts, and every station from which the most distant view of the execution could be obtained was occupied. In fact, from one end of the Old Bailey to the other was one dense mass; and the streets in the neighbourhood, although not a glance could be had of the platform or the proceedings, were, from an early hour, rendered impassable by the throng of persons hurrying towards the scene of execution. The assemblage was the largest that had ever been witnessed on an occasion of the kind since the execution of Holloway and Haggerty, upwards of twenty years before. Notwithstanding the precautions taken by the city authorities to prevent accidents, several occurred. At the end of Giltspur-street, immediately opposite the Compter, a very heavy barrier was erected across the road, for the purpose of counteracting the immense pressure of the mob, which in that direction extended to Smithfield. This barrier was fastened to two uprights, that were placed two feet in the ground, by iron hooping, which was by no means of sufficient strength for the immense weight of the timber to which it was attached. The consequence was, that at the moment the culprits were visible on the gallows, the barrier was forced down, and a number of persons of both sexes fell with it. The screams of the females, and the confusion that ensued, was truly alarming. Several persons were carried to the hospital, but no life was lost.

As the hour of eight approached, the anxiety of the multitude became most intense; and every eye appeared directed towards the door through which the wretched criminals were to be led to the scaffold.

At eight o'clock the procession began to move from the Press-room, and the appearance of the executioner and his assistant on the scaffold indicated that the last awful ceremony was just at hand. A general cry of "Hats off!" took place, and in an instant the immense multitude were all un-

Digitized by Google

covered. Bishop was first conducted on the scaffold, and his appearance was the signal for the most tremendous groans, yells, and hootings from all parts of the crowd. The wretched man came forward apparently unmoved by the dreadful reception he experienced. The executioner proceeded at once to the performance of his duty; and having put the rope round his neck, and fixed it to the chain, placed him under the fatal beam. A terrific cheer from the crowd proclaimed their satisfaction at the completion of the preparation for his exit to the other world; but still, though placed on the brink of eternity, and about to be launched into it amidst the execrations of his fellow-creatures, the miserable criminal betrayed scarce a symptom of fear. The same listless and sullen manner that had marked his conduct throughout appeared to be preserved by him to the last moment. Not a muscle seemed to be moved, not a limb to shake, though he remained, during the awful interval of two minutes that elapsed before Williams was brought forward, exposed to the indignant hootings of the multitude.

Williams next ascended the scaffold, on reaching which he bowed to the crowd, who returned his salutation with the most dreadful yells and groans. He appeared to labour under extreme anguish, and his demeanour altogether formed a complete contrast to that of his guilty associate. While the cap was being put over his eyes, and the rope adjusted by the executioner, his whole frame seemed convulsed by a universal tremor. The Rev. Mr. Cotton, having engaged the wretched men in prayer—in which Williams appeared to join fervently, wringing his hands and ejaculating aloud—gave the signal for the falling of the drop, when they were launched into eternity. Bishop appeared to die almost instantaneously, but Williams struggled for several minutes. The moment the drop fell, the crowd, which had been yelling all the time, set up a shout of exultation that was prolonged for several minutes.

The bodies having been suspended for the usual time, were cut down at nine o'clock. That operation was performed by the executioner amidst the shouts and cheers of the crowd, which still continued very great.

Immediately after a small cart drove up to the platform, and the bodies of the culprits were placed in it, covered with two sacks. The cart then moved on at a slow pace, followed by the sheriffs and city-marshal, and a large body of constables, along Giltspur-street, to the house of Mr. Stone, No. 33, Hosier-lane—the vast crowd yelling and making other discordant sounds as they proceeded. On reaching Mr. Stone's house, it was with great difficulty the bodies could be removed from the cart, the crowd appearing anxious to get possession of them. The bodies were placed on a table, and in the presence of the sheriffs (in conformity with their duty), an incision was made in their chests, after which they withdrew. The bodies were removed the same night—Bishop to the King's College, and Williams to the Theatre of Anatomy, in Windmill-street, Haymarket—to be dissected. They were publicly exhibited on Tuesday and Wednesday, at both places, when immense crowds of persons were admitted to see their remains.

The skeletons of the two criminals still adorn the museums of the schools, in which their bodies were dissected.

The case of the murder of a Mrs. Pigburn has already been alluded to in the course of this article, and it will be seen that, in the confession made

Digitized by Google

by the two convicts, they admitted their participation in that crime. The statement made by them appears to be strictly correct, as it was fully borne out by Shields, the porter, in a statement which he made before the magistrates at Bow-street.

In consequence of this declaration Mrs. Williams, the wife of the prisoner, was taken into custody on suspicion of her having been concerned in the murder. From her statement, some curious circumstances were elicited as to the prisoners, and her own and her mother's relationship to them. She said that Bishop was the son of a carrier, who lived at Highgate, and who, in the course of a long life, succeeded in amassing a considerable sum of money. Mrs. Bishop, who was at the time of the inquiry about forty years of age, was married to the old man as his third wife, and at this time there were several children living, amongst whom were John Bishop, the convict, and herself, who were half-brother and sister, being both the children of the old man, but by different mothers. At the death of old Bishop, it was found that, by his will, he had divided his property between his last wife, his children, and some other relatives: and the payment of 15*s.* per week was secured to his widow out of a portion of the estate, in which some of the relations had a reversionary interest. In less than six months after the old man's death, his widow and his son married, and they had lived together ever since. She (then Rhoda Bishop), subsequently became acquainted with Williams, whose real name was Head; he had been bred a carpenter, but at this time followed the occupation of a glass-blower, and after a short courtship they were married (about two months before her husband's apprehension on the charge of murder), she being then seventeen years of age. She denied that she was at all aware of the diabolical crimes which had been resorted to by her husband and her half-brother; and although she admitted that she had accompanied Shields on the occasion pointed out, she declared that she was not informed of the nature of the load which he carried.

Mrs. Williams was remanded for a week, but at the expiration of that time, there being no evidence to implicate her in the horrid affair, she was discharged.

We have only a few words to add, in reference to May, to close our notice of these most detestable criminals.

May (who was a tall, light-haired, and rather good-looking man, about thirty years of age) was the natural son of a barrister, who formerly had chambers in the New Inn. His mother was a laundress in the chambers; she was particularly fond of her son, and when he was about twelve years of age she used to lead him about, fearful that any harm should come to him. He was brought up at a boarding-school, and received a tolerable education: he wrote an excellent hand, and at the age of fourteen he was employed in a professional gentleman's office, at No. 10, in the New Inn; but he was always of a wild, roving disposition, and whenever he could get away from his duties he was associating with the worst characters about Clare-market. This appeared to be his sole delight, until he neglected the office altogether, and was, consequently, discharged. He had at the same time some good friends, who felt an interest in his welfare, but nothing could induce him to break-off with his associates; and, instead of remaining a clerk, which he was well adapted for, he took a liking to be a butcher. The first place he got was at Mr. Roberts's, in Clare-market, with whom

Digitized by Google

he lived some time: he afterwards lived with Mr. Price, in the same market; but he never remained long in one place. At last he took up the trade of a "body-snatcher;" and, in order to carry on the business with the greater facility, took a lodging in one of the houses in Clement's-lane, Strand, the back of which looks into the burying-ground, situated in Portugal-street, at the rear of St. Clement Danes' workhouse. Here he commenced business, and was very successful; but, like many others, flushed by success, he could not keep his own secret, and would brag of the number of bodies he had got out of the burying-ground at the back of his lodgings of a night, and what sums he had sold them for. He at first made no secret of his profession, and considered it meritorious, till, at last, he found that he was detested and despised by every person. He then left that part of the town, and got acquainted with Bishop and his associates.

We believe that there is no reason to doubt the truth of his assertions, that he had never been implicated in murder. He made a full confession of the habits and practices of persons engaged in his horrid trade, and his punishment was eventually commuted to transportation for life.

We have already alluded to the doubts which existed as to the ingenuousness of the confessions of the prisoners Bishop and Williams. The general suspicions which were entertained upon this subject, were still further excited by the publication of a report, that another confession had been made, in which the convicts had admitted their participation in upwards of sixty murders. We are inclined to believe that no such confession was actually made, although there is good reason to believe that the wretched malefactors concealed much of their guilt, while they admitted so much only as they knew must eventually be discovered. The idea that their confessions did not contain the whole truth, received confirmation from the circumstance of their denying that the remains found were those of the Italian boy. The evidence of the identity of the body was too clear to leave any room for doubt, and it is a remarkable fact that no information of the loss of such a boy (as they described) from Lincolnshire, ever reached the metropolis. Subsequently to the coroner's inquest and before the trial, two poor people did arrive in London from Lincolnshire, who had lost a boy, and to whom the body of the Italian boy was shown; but, so far from recognizing it as their child, they said, that not only the hair, but the eyes were of a different colour. The whole object of the prisoners seems to have been to mystify the case so as to give them a chance of escape, and having set out with falsehood, they adhered to that course throughout. We have heard that some jealousy was entertained by certain individuals towards Mr. Corder, who conducted the prosecution, and who refused to avail himself of the professional assistance tendered him, and that some of these persons did not disguise their prophecies that the case would "break down," and the prisoners escape for the want of proper evidence of identity. Even Bishop himself offered a bet, before the trial, that he would be safe, as it could not be proved that it was the Italian boy who had been found in his possession. It was not then known that, to meet this difficulty, the count for the murder of "a boy unknown" had been introduced; and when this fact was disclosed, all hope on the part of the prisoners and their jealous friends was abandoned. Mr. Corder received a deserved compliment from the judges for the admirable manner in which he had collected

Digitized by Google

and arranged his evidence, notwithstanding, as he admitted to their lordships, he was "not indebted to any professional man in the progress of his labours." This gentleman subsequently published a letter, urging conclusive reasons for the belief that it was the body of the Italian boy which was found; and, from the testimony of the surgeons who made the *post mortem* examination of the body, showing the utter falsehood of the statement of Bishop, "that he had been killed by suffocation in the well," instead of by positive violence. The extravasated blood on the brain, and the effusion of blood in the spinal canal, obviously produced by external violence, were the best proofs that, in this respect, Bishop was deceiving his auditors: and, detected in one lie, little reliance could be placed on what followed. It appears, too, that Williams was present while Bishop was telling his story, and simply confirmed him in his narrative. Had they been called upon to make separate confessions, neither knowing what the other had said, some estimate might have been formed of the degree of confidence to be placed in their confession. But, as it was, we think the public are far from having got at the truth; and from the blunders and jealousies of the "officials," we suspect much useful information upon this most dreadful subject was lost.

ELIZABETH ROSS.

EXECUTED FOR A "BURKING" MURDER.

THE period of the actual occurrence of the murder for which this woman was executed, was antecedent to that of the crime of Bishop and Williams; but the inquiries which took place in reference to her case, rendered the delay of her punishment necessary until after those atrocious malefactors had expiated their offences on the gallows.

The discovery of this murder took place in the month of November 1831, when a young woman, named Baton, made a statement at Lambeth-street Police-office, which induced a supposition that her grandmother, an aged woman named Elizabeth Walsh, had been unfairly dealt with. An investigation was ordered to be commenced by Lea, the officer, into the affair; and he succeeded in making discoveries which excited the strongest presumptions of the guilt of a woman named Cook, *alias* Ross, of the crime of murdering the old woman. Mrs. Walsh, it was elicited, was aged and decrepit, and was reduced to obtain a livelihood in the streets by the sale of bobbins, stay-laces, and other similar trifling articles. Mrs. Ross was known as a "cat-skinner," and collector of hare-skins; and she lived with a man named Cook, in Goodman's-yard, Minories, who had obtained an equally unenviable notoriety as a "body-snatcher." Mrs. Ross, having become acquainted with old Mrs. Walsh, had been known to express a strong desire that she would go to lodge with her; but Mrs. Walsh, whose connections were somewhat respectable, had been repeatedly cautioned to have nothing to do with a person whose pursuits and associations were so disreputable. The poor old woman, however, was over-persuaded by the specious arguments of her wily friend; and at length, on the 19th of August 1831, she took up her abode with the supposed Mr. and Mrs. Cook, at their residence. Mrs. Cook occupied only one room, which formed the

Digitized by Google

habitation of herself, her paramour, her son (a boy about eleven years old), and her new lodger. Mrs. Walsh was observed to go out only once after she took up her residence in Goodman's-yard—and after that she was never seen alive. The circumstances of the case were thus far known when the grand-daughter of Mrs. Walsh made her statement to the magistrates; but the inquiries of Lea soon brought other facts to light, which amply proved the guilt of Mrs. Ross of the crime imputed to her. Lea, as a preliminary step, took Cook, Mrs. Ross, and their son, into custody; and, on Wednesday, the 2nd of November, they were conveyed to Worship-street Police-office. During the period which elapsed between the apprehension of the boy and his examination at the police-office, he was observed to be exceedingly agitated and uneasy. The master and mistress of the parochial school at Aldgate, which he had attended for two or three years, were, in consequence, sent for; and he made a statement to them upon the subject of the death of Mrs. Walsh, the substance of which he subsequently detailed before the magistrates.

On the same afternoon Cook and the female Ross were placed at the bar; and their astonishment, on perceiving that their own child was about to be admitted as a witness against them, was quite apparent.

The magistrate asked the boy if he was quite willing to make a full disclosure of what he knew as to the disappearance of the old lady, Elizabeth Walsh? And, having answered in the affirmative, he was sworn, and made the following statement:—He recollected the old lady, Elizabeth Walsh, coming to his father and mother at No. 7, Goodman's-yard, Minories, about ten o'clock on a Friday morning. She brought some bread in a basket, a part of which she gave to him for his breakfast; she went away shortly afterwards, and returned about tea-time in the evening, when she, as well as his mother and himself, had some coffee; his father was not present at the time, though he was when she came in the morning; they had coffee about half-past nine on the same night for supper. He (witness) took part of it, and it made him sleepy, but not sick; the old woman also took some of it, and it seemed to make her drowsy, as she shortly afterwards stretched herself on his father and mother's bed, and placed her hand under her head. She did not at the time complain of illness; on the contrary, she appeared in good health. Sometime afterwards he saw his mother go towards the bed, and place her right hand over the mouth of the old woman, and her left over her body [the boy here burst into tears, and said he was sorry to be obliged to state such things against his own mother]. When his mother placed her hand on the old lady's mouth her arm fell down, and she lay flat on her back on the bed, and his mother continued to keep one hand on her mouth and the other on her person for at least half-an-hour; the old woman did not struggle much, but her eyes stared and rolled very much. He (witness) stood by the fire at this time, and his father, who was now in the room, stood looking out at the window; his father stood so all the time, and he was sure he never once turned round to see what was going forward, and that he had nothing to do with it. In about an hour afterwards his mother raised the body of the old woman from the bed, and carried it down stairs, but where to he did not know; the body was not undressed at the time; he and his father went to bed some time afterwards, and he could not say what time his mother returned, as he did not see her again on that night, after she left the room with the

Digitized by Google

body in her arms. On the following morning he got up about seven o'clock; his father and mother were then up, and in the room; he had occasion, previous to going to school at eight o'clock, to go into the cellar to the privy, and while searching through the cellar for some ducks which he was told were there, he saw the body of the old woman in a sack, which was placed underneath the stairs; a portion of the head was out of the mouth of the sack, and the body appeared to be partly bent, and reclining against the stairs; there was sufficient light in the cellar for him to discern the colour of the hair on the head; it was partly grey and black, but he could not say whether or not the body was dressed or otherwise; the sack in which it was, was one belonging to a person named Jones, with whom his father worked; he had frequently seen it in their room, and he thought it was there on the night before. He went to school shortly afterwards, and never mentioned a word then or since about what had occurred, or his seeing the body in the cellar; on returning home at twelve o'clock in the day, he found his father beating his mother; he thought the cause to be, that the latter had been out drinking with a young woman, the granddaughter of the old lady, who had called to inquire after her; his mother, he believed, while his father was beating her, called him a villanous murderer, but he had no recollection of her threatening to give any information of him. He (witness), after getting his dinner, went out to play, and did not come home until late; himself, his father, and mother supped together on the Saturday night, and at about ten o'clock his mother left the room; in about half-an-hour afterwards he was standing at the window, and saw her go past with the body in the sack on her shoulder; it was in the same state as he saw it on that morning, except that the mouth of the sack was tied; the body appeared to be partly bent.—[The female prisoner, in an audible voice, exclaimed, "Good God! how could I have borne a son to hang me!"]—The lad again burst into tears, and said he could not help it—that he was telling the truth. He then proceeded with his statement. He did not know at what time his mother had returned on Saturday night, as he and his father, who remained in the room, went to bed, and he was asleep when she came in; on the Sunday morning his mother told him that she had taken the body to the London Hospital. The boy here, as in many parts of his statement, said his father had nothing whatever to do in the business. The magistrates examined him very minutely as to what had taken place on the Friday night, and what conversations (if any) had taken place between his father, mother, and himself, previous to and after the horrid deed had been perpetrated. He said that no words or quarrel had taken place; the old woman and his father and mother were on good terms, and nothing particular had occurred during the evening, until his mother placed her hand, as he had before described, on the mouth of the old lady; nor did she say a word to him or his father while she so held her hand on her mouth. He recollected she had been saying something to him about taking the body to an hospital. He did not see his father lay a hand on the old woman.

The magistrates expressed some surprise that the prisoner should, for a whole day, leave the body in the cellar of the house, which was accessible to all the inmates; but this was satisfactorily explained by the landlady, who said, that in consequence of its being so dark, and so infested with rats, the lodgers very seldom indeed entered it.

Digitized by Google

This was the substance of the boy's statement, and in many particulars it was distinctly and amply corroborated by the concurrent testimony of other witnesses. In some points, however, he was contradicted. It will be observed, that he stated that the body was carried away by his mother alone; but a man named Barry, whose evidence appeared to refer to the same transaction, declared that he had seen the boy in company with her, and assisting to carry the sack; while another negatived the possibility of the truth of one of his declarations—that his mother had carried the body in her arms, and with great facility—by stating that the deceased was a very tall woman.

The prisoners, upon the proofs which had been adduced, however, were remanded, and subsequent inquiries terminated in the production of further evidence of the guilt of Mrs. Ross. This consisted of the declarations of several persons that she had sold articles of clothing to them in Rag-fair, which were identified as having belonged to the deceased; and, more especially, that she had actually disposed of the stock-in-trade of the poor old woman. All exertions to discover the body of the deceased, however, proved unavailing; and, after several examinations, the prisoners, Edward Cook and Elizabeth Ross, were, on the 24th of December, committed for trial upon the charge of murder.

The intermediate occurrence of the case of Bishop and Williams, the details of which we have already described, and the violent alarm created in the public mind by the frequent reports of mysterious disappearances, and "burking" murders, excited a great degree of prejudice against these unfortunate prisoners, and it was not until the 6th of January 1832, that their case came on for final investigation at the Old Bailey. Ross was then indicted for the wilful murder of the deceased, while the charge made against her paramour, Cook, was that of having aided and abetted his fellow-prisoner in the commission of the offence.

Mr. Adolphus conducted the case for the prosecution, and Mr. Barry and Mr. Churchill appeared on behalf of the prisoners. The defence set up was,—Perjury on the part of the boy, and the possibility that Mrs. Walsh was still living, arising upon the non-discovery of her body. The jury, however, returned a verdict of "Guilty" against Mrs. Ross, but acquitted Cook.

The convict was immediately sentenced to be executed on the following Monday: her body to be given over to the surgeons for dissection.

On Monday, the 8th of January, the wretched woman was hanged, in pursuance of her sentence. After her conviction, as well as before, she persisted in the strongest declarations of her innocence. Her statement was, that she had left the old woman with Cook on the night of her supposed murder, and that having then gone out, she did not return for several hours. On her going back she was told that the old woman had quitted the house. She maintained an extraordinary degree of firmness of nerve; and, up to the last moment of her existence, continued uttering protestations that she was not guilty, and ejaculations of her misery at quitting her own country (Ireland) to be hanged. She mounted the scaffold without assistance, and was turned-off at the customary signal.

Digitized by Google

HENRY MACNAMARA.

TRANSPORTED FOR FELONY.

THE offences of which this person was guilty attracted considerable observation at the time of their discovery. He was taken into custody on the morning of Sunday, the 29th of April, 1832, at the New Hummums Hotel, Covent-garden, on a charge of robbery, committed under somewhat remarkable circumstances; and, on the following day, he underwent an examination at Bow-street, before the sitting magistrate.

From the statement which was then made, it appeared that the prisoner had gone to the New Hummums on the previous Saturday night, and had requested to be accommodated with a bed. His appearance was such as to lead to a supposition that he was a person of respectability, and there was no hesitation in complying with his desire. His luggage, which consisted only of a carpet-bag, was conveyed to the apartment assigned to his use, and, having partaken of a handsome supper, with its concomitants, he retired to rest. The New Hummums, like its brethren under the piazza, was a hotel much resorted to by single gentlemen, or casual visitors to the metropolis; and, on the night in question, its accommodations were as much in request as usual. Major Hampton Lewis occupied a sleeping apartment on the floor beneath that in which the prisoner's room was situated; and, on the same corridor, were four other bed-chambers, all of which were also in use. In the middle of the night, when the house was wrapt in quiet, Major Lewis was suddenly awoke by hearing some person in his apartment; and, on looking up, he saw a man, attired only in his shirt and trousers, as quietly as possible making his way towards the door, carrying off his gold watch, chain, and seals, and his purse in his hands. He jumped up and pursued the intruder, but did not succeed in catching him until he had reached the passage, when he seized him by the shirt and braces. The fellow struggled hard, and succeeded in extricating himself, and ran off up stairs; but the noise had by this time alarmed the other inmates of the house, and instant search was made for the thief. Every room was examined; and at last the constables, who by this time had been called in, arrived at that to which the prisoner had been conducted. They found him in bed; but, on their calling him up, they perceived that he still had his trousers on, and his braces and shirt were torn. The detached remnants of these articles were found, on examination, outside the door of Major Lewis's room, having evidently been torn off in the scuffle; and the watch and purse of that gentleman were also discovered on the stairs leading to the corridor in which the prisoner's apartment was situated. This was a chain of circumstances so conclusive, as denoting the guilt of the prisoner, that he was carried off in custody to the station-house. The uproar and confusion naturally created by a nocturnal event of so extraordinary a character, had, however, scarcely subsided, when four other gentlemen, who slept in the apartments adjoining that of Major Lewis, discovered that they too had been robbed. One gentleman missed a shirt-pin; another some English and French money, amounting to about 3*l.* 15*s.*; a third a loaded pistol, which he carried for his protection, and his purse, containing a considerable sum in gold and notes; while the rings and purse of the fourth

Digitized by Google

had been purloined from his dressing-table. In a room opposite to that in which the prisoner had been placed to sleep, and which had not been occupied for several nights, the whole of these articles were found strewed indiscriminately about the floor, under the bed; and with them was also discovered a key, which, on examination, proved to fit the lock of the prisoner's carpet-bag.

These were the circumstances which were proved in evidence on the day of the first examination of the prisoner; but the extraordinary nature of his proceedings in this case, struck the attention of the magistrate so forcibly, that he determined to remand him, in order that, if any other charges of a similar description existed against him, he might be made liable for them too. The prisoner was ordered, therefore, to be again brought up on the following Friday; and on that day a host of persons was in attendance, each more anxious than the rest to detail the circumstances of some robbery of which the prisoner had been guilty.

The evidence of the robberies at the New Hummums having been first gone into, and the prisoner having been ordered to be indicted upon three of them—at the prosecution of Major Lewis, Mr. Courthold, of Barking, in Essex, and a young gentleman named John C. Millenden, who had put up at the hotel on his way from Bordeaux, where his parents lived, to school—the other new cases were taken.

The first of these was preferred by a gentleman named Heath; and, from his evidence, and that of two other witnesses, it appeared, that at a late hour on the night of Friday, the 27th of April, the prisoner went to the Swan-with-Two-Necks, Lad-lane, and asked to be accommodated with a bed. His request was complied with, and he retired to his room, which was situated in a corridor built in the old-fashioned style, round the inn-yard, and which was near to that to which Mr. Heath had been previously shown. In the course of the night, Davy, the porter at the inn, was disturbed by the loud barking of the watch-dog; he went to him to quiet him, but the sagacious animal was aware that there was an intruder stirring upon the premises, and conducted Davy to a dark kitchen, or cellar, where he found the prisoner. He pretended to have come from his room for a necessary purpose, and was allowed to return to his apartment. Soon afterwards, however, he escaped over the balustrades of the corridor, and from the yard, leaving his boots behind him. On the following morning Mr. Heath discovered that his money had been stolen from his room in the course of the night. Both the porter, and a witness who had seen the prisoner quit the inn-yard, and had aided him in adjusting his cloak in the street, were able to speak positively to his identity; and he was committed for trial upon this charge also.

Many other cases were, at subsequent examinations, brought against him, which, however, were so similar in their character to those which have been already detailed that it would be useless to enter into their history or description. The prisoner was recognised as having been guilty of almost innumerable offences, within a very short period; and he was also identified by one of the keepers of Maidstone jail as having made his escape from that prison, where he had been sentenced to be confined for three months as a pickpocket.

On Monday, the 21st of May, the prisoner was tried at the Old Bailey upon the charges preferred against him, and verdicts of "Guilty" were

Digitized by Google

returned. The crimes which he had committed rendered him liable to capital punishment; but the ends of justice, it was felt, would be amply satisfied by the permanent removal of this offender from the scenes of his former exploits, and from the opportunities of renewing his depredations.

Of a piece with the proceedings of this fellow, were those of a man who victimised nearly every hotel in every principal city or town in the kingdom, and who was universally known as "The man with the carpet-bag." A carpet-bag was an article of such a nature as that it was unlikely that the intentions of any persons would be suspected merely on account of his carrying such a means of transporting his luggage. In the case of the person to whom this epithet was applied, however, the carpet-bag was employed for purposes far different from those for which it was customarily used. His habit was to enter that house which presented the most seemly and comfortable aspect, and having partaken of a hearty supper, he would convey his "luggage," of which he always took the greatest care, to his apartment. In the morning it was invariably found that he had decamped, having generously left behind him the contents of his sack, which usually consisted of hay or straw, and a stray brickbat or two, and carried off in their place such portions of the bedclothes as he could conveniently stow away. The possession of a carpet-bag by a traveller was at one time looked upon by landlords and waiters as almost certain evidence of his being a swindler; and numerous are the occasions upon which such a supposition has created considerable inconvenience. The following letter, published in a newspaper of the period, happily hits off the miseries of a "man with a carpet-bag," searching for lodgings. It was addressed—

"*To the Editor of Bell's Life in London.*

"Sir,—As a stranger in this town, perhaps I shall be excused for addressing you on a topic which may prove amusing to some of your travelling readers, and prevent a series of mortifications to which, from the accidental circumstance of carrying a *carpet-bag*, they may be exposed. I arrived from Manchester on Monday afternoon last, having travelled the whole of the way outside of the coach. On alighting, I was as miserable as torpid circulation and pinching cold could make me. I had still energy enough left to give the guard and coachman their customary fee, and with my luggage, which consisted only of a *carpet-bag*, containing a change of apparel, and other matters, to set out in search of a tavern in which I was likely to enjoy the comforts of a good fire and a night's lodging. You will ask why I did not at once take up my quarters at the White Horse, Fetter-lane, where the coach stopped, and which, I had been informed, affords excellent accommodation at a reasonable price? I answer, that I have always had an objection to the bustle of a coach inn; and, I may add, I fancied I could get cheaper quarters elsewhere. Whether I was justified in this conclusion I will not stop to argue; you must take the facts as they come. I turned into Holborn, and went into the first coffee-house which met my eye: I do not know the sign. On entering the coffee-room, I placed my carpet-bag on the table, and commenced freeing myself from the wrapper which surrounded my throat, at the same time ringing the bell for the waiter. A smirking chap soon entered, and casting a look at my bag, and then at me, asked me what I wanted? I replied, 'A steak for my dinner, and a bed for the night.' 'I'm afraid we an't got no bed to

Digitized by Google

spare, sir,' said he, 'but I'll go and ask missis;' and then taking another look at me, and a second at my carpet-bag, out he flounced. I thought this uncivil, but had not long to wait before he returned; and with a sort of would-be knowing look, he informed me his missis hadn't a bed to spare, but I might have a steak if I liked. 'I don't like!' said I; and taking up my bag, off I went in no pleasant mood. I was not long before I discovered another house, into which I popped, and was met by a pretty girl in the passage. 'Pray, my dear,' said I, 'can I have a bed here to-night?' She eyed me from top to toe, and more particularly fixed her attention on my carpet-bag. 'No, indeed, *my dear*,' said she, laying a stress on the latter words, 'you cannot, so you may walk yourself and your carpet-bag off.' Well, thought I, that's cool, at any rate, and I very soon took her advice. A third house was not far distant, and here again I made my entrance; but had not reached the door of the parlour, when a voice from the bar exclaimed, 'Oh, here's the fellow with the carpet-bag! Thomas, Thomas, come and show him out!' and, sure enough, before I could ask a question, I was taken by the shoulders, and gently pushed into the street, with a polite intimation that they were 'fly' to the carpet-bag, and so I might 'mizzle.' Well, thought I, this is London politeness with a vengeance! but a lodging I must get, and on I went. The next house I approached looked clean and cheerful; and seeing the waiter standing at the door, I civilly asked him if they took in travellers? The fellow, who proved to be an Irishman, laughed, and replied, 'Faith we do, sir, when we can.' 'Then, perhaps, you'll take me in for the night?' said I; 'I have just got off the Manchester coach, and want my dinner and a lodging.' Once more did I notice the particular attention paid to my carpet-bag. 'Be asy, old boy!' said the rascal, with a good-humoured grin; 'though we *take in* travellers, we don't mane to be *taken in* ourselves, so walk off with your four bones and your carpet-bag together;' and, turning upon his heel, he marched into the passage, exclaiming to one of his companions, 'The old codger with the carpet-bag has just been here, but it wouldn't do.' I now really began to be vexed, and indignant at this treatment. I pursued my course, however, to a fifth house. Here I was lucky enough to find a rousing fire in the parlour; and having, as I hoped for the last time, deposited my carpet-bag on a chair, I was about to ring the bell, when I was saved the trouble by the landlord, who, entering in a great pet, approached me without further ceremony, took up my carpet-bag, placed it in my hand again, and ordered me out of his house without delay. 'I want a bed,' said I. 'Do you?' said he; 'then you'll find one elsewhere, for you sha'n't stuff your *carpet-bag* at my expense!' and out he pushed me, in defiance of all my expostulations. Never was poor devil so incensed: I was completely at a loss to discover the cause of this treatment. It had now become dark, and my anxiety for a lodging became still greater. I resolved upon one more experiment, however, before I gave myself up to despair, and seeing a sixth house of a very tempting description, in I marched, and approaching a good-looking woman in the bar, I made my best bow, and asked her if I could be accommodated with my dinner and a lodging for the night? 'Certainly, sir,' said she, with a smile; and, in a loud tone, called William, the waiter, and Betty, the chambermaid. Both came in a trice; and the landlady, pointing to me, said, 'This gentleman wants a bed and his dinner; show him into

Digitized by Google

The Man with the Carpet Bag

1832

London Published by Thomas Tegg, Cheapside

Digitized by Google

Digitized by Google

No. 2, Betty; and you, William, take the gentleman's order for dinner.' William and Betty hesitated, both scanning me and my carpet-bag more particularly, with as much surprise as if they had never seen two such objects before; and at the same moment putting their heads towards their mistress, I could just hear them whisper, 'Carpet-bag!' In an instant the smile of the hostess turned to a frown, and, without further explanation, she exclaimed, looking over the bar at the same time at my unfortunate carpet-bag, 'No, sir; we have no room; it won't do here;' and for the sixth time was I sent forth on my adventures. I now became thoroughly enraged, but suddenly recollecting that, by law, victuallers are obliged to receive travellers, I resolved to be no longer trifled with, and, for the seventh and last time, entered a house in High Holborn, where, without ceremony, I walked into the coffee-room, threw my carpet-bag under the table, took off my great-coat, and desired the waiter to get me a beefsteak, oyster sauce, and potatoes. 'Yes, sir,' was the quick reply. The order was given to the cook in an audible voice—'Nice rumpsteak, hoister sauce, and tators, for one!' The cloth was laid, and in less time than I could have expected, I was discussing the merits of the viands laid before me. Good meat, thought I, requires good drink, and I ordered, in a breath, a pint of porter and a pint of sherry. 'Yes, sir,' said my attendant again, and with equal rapidity they were placed before me. The fellow, in turning round from me on this occasion, observed my carpet-bag under the opposite table. 'Holloa!' said he, 'whose is this here carpet-bag?' 'Tis mine,' I replied. Had I confessed myself a kangaroo or a rhinoceros, I do not think I could have produced more astonishment than this admission, and I could observe him look round the room to the assembled guests, as if he expected them to join in his surprise. Still I had no suspicion that there was anything in my bag, or in my appearance, to attract extraordinary attention; so, without further reflection, I finished my dinner, and called for a pint of port. On this being brought in, I put the old question, 'Can I be accommodated with a bed?' 'No, indeed, you cannot, Mr. Carpet-bag!' said he, shaking his impudent face close to mine. This was past all endurance, and, with an oath, I exclaimed, I would not stir out of the house that night. 'Won't you, indeed!' said he; 'we'll soon see that,' and out he went. The persons in the room regarded me with side-long glances of doubt; but before I could make any remark upon what had occurred, in came Mr. Waiter with a policeman. 'That's him,' said he, pointing to me. 'That's who?' roared I with indignation; 'what have you to say to me?' The policeman, who seemed a decent fellow of his sort, begged of me not to be violent; he believed, he said, I had a carpet-bag? 'I have,' replied I; 'and what then?' 'Only I should like to look into it, sir,' said he. 'I'll be —— if you shall,' retorted I. 'Ha! ha!' sniggered the waiter, 'I thought how it would be.' I now became perfectly outrageous, and demanded of the policeman if he took me for a felon? 'No, sir,' said he; 'but the fact is, a man with a carpet-bag has been going round to the different taverns in town, plundering the landlords, and 'a caution' to this effect having appeared in the public papers, suspicion has arisen that you may be 'the man with the carpet-bag,' and I have been called in to ascertain the fact.' The civility of the fellow, as well as the ludicrous, although vexatious, cause of all my wanderings, being thus explained, I could not but smile at

Digitized by Google

my situation, but determined at once to justify my character. I gave him the key of the padlock, desiring him to open the bag, the contents of which I enumerated, concluding with the astounding declaration, that, last of all, he would find a canvas bag, containing one hundred sovereigns, and letters to certain persons, whose names I mentioned. The man was a little abashed, but, at my desire, made the search—found all as I described, to the minutest particular—apologized for his interference—and took his departure. The waiter also humbly begged pardon; the company laughed heartily at the recital of my mortifications; I got my bed, paid my bill, and the next morning proceeded to the house of a friend, where, had I gone in the first instance, I should have been saved the trouble of writing this letter for the express purpose of giving landlords 'another caution,'—and that is, not to look, in future, so suspiciously on a traveller with a carpet-bag, unless upon some more cogent ground than mere surmise.

"I am, sir, yours,

"A MANCHESTER WAREHOUSEMAN."

The same subject was also made the subject of a farce at one of the minor theatres.

The real "Man with the carpet-bag" was eventually secured, and his fate was similar to that of the convict Mac Namara, whose offences have just been alluded to.

THE REFORM RIOTS OF 1831-2.

THE year 1831 will ever be memorable in the history of Great Britain, for the struggles by which its progress was characterised, in favour of the great measure of Reform. There was, in reality, no problem ever more clearly or more satisfactorily demonstrated, than the iniquities of parliamentary elections and representation. The necessity for reform was almost universally admitted; for the errors and evils of the existing system had ceased to be seriously denied, and were made the subject of discussion by way of defence only, by persons whose ingenuity and sophistry enabled them to raise arguments in their favour. Half a century had elapsed since reform was on the point of being achieved by a national movement, when it was arrested by the "No Popery" riots of Lord George Gordon. Subsequent events of a nature too powerfully exciting to admit of so large a measure of power to be immediately accorded to the people, required its temporary abandonment; but never entirely laid aside, and always appreciated for its importance and certain utility, it was reserved to be brought forward at a period when tranquillity and favouring circumstances should secure for it a triumphant reception. Such an opportunity presented itself at the commencement of the reign of a liberal and puissant monarch. In William the Fourth, a king was found in every respect worthy the admiration and respect of his subjects, and his reign, short though it was, forms an eventful period of modern history.

The retirement from office of those ministers who had so long swayed the destinies of the nation, afforded to the party who had cherished the anticipation of their procuring the adoption of a measure, which should have for its effect the removal of the existing abuses, an opportunity of

Digitized by Google

attempting to carry out the object which they had in view, and which was so anxiously looked for by the people. The formation of a ministry from among the leaders of this party was an event highly calculated to excite the most favourable expectations, and the speedy declaration of the wishes of his majesty being in entire accordance with those of his people, produced a degree of general satisfaction, which had not been equalled during a long series of years. Savile, Wyvile, William Pitt, Charles Grey, Burdett, Cartwright, Brande, Lambton, and Lord John Russell, were among the names of those by whom the important topic of reform had been already brought before Parliament, and the period had now arrived when the exertions of these men were to have their effect and their reward.

The ministry of Earl Grey was formed in November 1830. Public opinion imperatively marshalled the way, and there was no intention exhibited by the new advisers of his majesty to diverge into any by-path. Those members of the government who had not always been favourable to reform, were now converted, or acquiesced in the necessity of the introduction of such a measure, and it was fully understood that the conditions on which the ministers proposed to conduct the government committed to them, was peace abroad, and reform and retrenchment at home. These were pledges which they most honestly redeemed, in a spirit of wisdom, and temperance, and of firmness, and patriotism.

The Reform Bill was first introduced to the House of Commons on the 1st of March 1831, and so great had been the excitement during the election of the preceding year, that the second reading was carried by a majority of one, in a parliament chosen under the auspices of the Wellington administration: but on the 20th, General Gascoigne carried an amendment, in opposition to a clause proposed by ministers, by a majority of eight. Two days afterwards parliament was dissolved, in a speech in which the king stated that the appeal about to be made to the people had been resolved upon, expressly with a view of ascertaining their sense as to the proposed alteration in the representation. The general election took place in May, and the new parliament met on the 14th of June. On the 24th of the same month the second Reform Bill was introduced, and on the 4th of July, after a debate of three nights, the second reading was carried by a majority of one hundred and thirty-six; the motion having been supported by three hundred and sixty-seven members, and opposed by two hundred and thirty-one. The bill passed the House of Commons, but at half past six o'clock on the morning of the 8th of October, after a debate of five nights, it was thrown out, on the second reading, in the House of Lords, by a majority of one hundred and ninety-nine to one hundred and fifty-eight. On the 20th, parliament was prorogued, and was not called together again until the 6th of December. The year, which had already been so busy and eventful, did not close till the great measure, in the discussion of which so much time had been spent, was again before the legislature. The third Reform Bill was introduced into the Commons on the 12th of December, and was read a second time on the 17th, by a majority of two to one. Having, however, been detained nearly two months in committee, it did not leave the Commons until the 19th of March 1832, when the third reading was carried by a majority of three hundred and fifty-five to two hundred thirty-nine. At seven o'clock on the morning of the 14th of April, it was read a second time in the House of Lords, by a

Digitized by Google

majority of nine, the numbers being one hundred and eighty-four in its favour, and one hundred and seventy-five against it: four nights having been occupied in its discussion. On the 7th of May, the day on which parliament re-assembled after the Easter recess, the motion proposed by Lord Lyndhurst, to postpone the consideration of the disfranchising clauses until the enfranchising clauses had been discussed, was carried against ministers by a majority of one hundred and fifty-one to one hundred and sixteen; and as this was looked upon as the first of a series of obstructions, dextrously intended by the noble and learned lord to delay and mutilate, if not to destroy, the national scheme, the ministers adopted, on the instant, a firm and resolute course. On the 9th of the same month Earl Grey announced in the Lords, and Viscount Althorp in the Commons, that ministers had resigned. A week of terrific agitation ensued, but the sequel proved the efficiency and the excellence of the step which had been adopted.

Lord Lyndhurst, the Duke of Wellington, and Sir Robert Peel, were the new advisers selected by his majesty; but they were made acquainted with his majesty's determination that an extensive reform should be effected. Lord Lyndhurst and the noble Duke were not unwilling to lend themselves to the existing emergency; but the right honourable baronet was more untractable, and the consequence was, the abandonment of the design of the new administration, and the recurrence of the king to his old advisers. On the 18th of May, Earl Grey intimated that he and his colleagues had re-assumed their offices, and that they had done so with an assurance from the king, that his majesty's co-operative aid to carry the Reform Bill should not be wanting. Reports had been long in circulation of the possibility of the creation of a sufficient number of new peers to overwhelm the Tory majority of the House of Lords; but the king and his ministers had hitherto manifested a laudable reluctance to resort to such a measure. Now, however, it was felt that this was the only course left to be pursued; and that measure, which was looked upon rightly as one to which recourse should be had only when all other means had failed, was determined to be resorted to. But the king's resolve having become known, its execution was rendered unnecessary. The Tory peers, rather than such a step should be taken, consented to forego their opposition; and, on the 4th of June 1832, the Reform Bill was read a third time, and passed by a majority of one hundred and six to twenty-two. On the 7th of June it received the royal assent. The Scotch and Irish Reform Bills, and the Boundaries Bill, were, in like manner, soon after enacted into laws. On the 16th of August parliament was prorogued, and, on the 3rd of December, a dissolution took place. The remainder of that month was occupied in the first general election under the new system of representation.

Having thus succinctly detailed the eventful proceedings of parliament during this short period, we shall now proceed to describe the consequences produced by the frequent and repeated refusals of the legislature to accede to the wishes of the people—consequences, the causes of which, without such an introduction, would scarcely be intelligible.

It was in allusion to the rejection of the Reform Bill in the month of October 1831 by the House of Lords, that the popular feeling was most strongly exhibited. Many of the newspapers, which announced the result

Digitized by Google

of the division in the House of Lords, were put into mourning, and a feeling of the deepest and most melancholy foreboding soon spread itself throughout the country. The fate of the Reform Bill became speedily known, and on the Monday following marks of unequivocal sorrow and disgust exhibited themselves. In the metropolis circulars were distributed in every parish, calling meetings; all business appeared suspended; and the shops in all directions were either partially or totally closed. Mourning flags were exhibited from the houses, accompanied by placards, in which the bishops, who had formed a considerable portion of the majority against the bill, presented a source of prolific censure. In King-street, Seven-dials, the effigy of the Duke of Wellington was burned; and, in Tottenham-court-road, a placard was exhibited at a shop, announcing that arms might be had, to be paid for by instalments. On the part of the government, every precaution was taken for the preservation of the public peace. Troops were marched into London, and stationed so as to be ready to be called into immediate activity in case of necessity; ball-cartridges were distributed, and everything was done which prudence could suggest for the maintenance of order. Numerous meetings were held in the course of the week, at which the most enthusiastic determination was exhibited; and every means was adopted by the people to throw disgrace and discredit upon those by whom their wishes had been opposed. The Duke of Wellington, and other noble peers who had distinguished themselves by their opposition to the bill, were roughly greeted, and were pelted on their way to the House of Lords. The Duke of Cumberland was also nearly receiving much ill-usage from a mob assembled in the Park. On Wednesday the 13th of October, the king held a levee at St. James's Palace, at which an immense number of addresses was presented. The trades' unions assembled in vast mobs in the neighbourhood of the palace, accompanied by their flags and other insignia, and some violence was done by the mob. The residence of the Marquis of Bristol, in St. James's-square, was made the object of an attack by them. Many of the windows were dashed in, and a considerable quantity of valuable effects destroyed; but fortunately there were many well-disposed persons in the vicinity, by whom the police were assisted, and the rioters dispersed. The mob, however, had been no sooner driven from here, than they proceeded at once to the residence of the Duke of Wellington, Apsley House, Piccadilly. This was, in turn, made the object of an assault even more severe and determined than that of the Marquis of Bristol. At about half-past two o'clock in the day, several parties were seen to approach the residence of his grace, and the foremost of the gang threw a few stones at the windows, and sent forth the most horrible yells. Some of the servants belonging to the establishment came forward and presented pistols at the mob assembled; but this only served to increase their anger. A volley of stones was instantly hurled at their supposed assailants; and a cry being raised of "They are going to fire on us—now let us go to work," an instant attack was commenced on the mansion. Stones flew in showers on the house, and not a dozen panes of glass were left undemolished, while many valuable pictures inside were utterly ruined, and the furniture was destroyed. The police at first were in small numbers upon the spot, but a reinforcement having arrived from the Vigo-street Station-house, a vigorous attack on the mob was commenced. The employment of their staves, and the determination which

Digitized by Google

was exhibited by the constables, served, in a very material degree, to drive away the assembled crowd; and, of those who were taken into custody, all were of the lowest class—showing that their object was rather mischief or depredation, than the assertion of a principle, or the maintenance of a right. At about seven o'clock in the evening, a new attempt to get up a riot was made by a mob of two or three hundred persons, who were met on their way through Piccadilly towards St. James's Palace; but a speedy stop was put to their proceedings by the police, who had assembled in large bodies to repel any such new effort as might be made.

But while in the metropolis no acts of serious mischief were done, the effects produced by this event in the country were of a nature much to be regretted. At Derby and Nottingham, more especially, serious riots took place. At the former place it is exceedingly probable that the event would have been passed over without any disturbance, but for the indecent and insulting ebullition of joy manifested by a party of those who were opposed to the Reform Bill. The bells of the churches had been tolling during the whole of Saturday evening, the news having reached the town by express at an early hour on that day, and a number of persons, amounting to a considerable crowd, having assembled at the coach-offices, awaiting the arrival of the London coaches, in order that their fears might be set at rest, they were assailed with laughter and other uncalled-for insults by their political opponents. The consequence was a retaliation on their part, which terminated in an attack upon the houses of those who had made themselves unpopular by their conduct. The windows of many of these houses were demolished, and the persons of some of their owners subjected to violence; but at length a considerable number of the rioters were taken into custody. This served only to increase their anger, and an attack being made upon the jail, the whole of the prisoners were liberated. The mob in turn were assailed by the keeper of the prison and his assistants, with fire-arms, and the result was that three of their number were killed. The soldiery were then called out, and tranquillity was at length with some difficulty restored.

At Nottingham the riots bore even a more serious aspect. The consternation which was produced by the arrival of the news of the defeat of the reformers was of a fearful description. During the night of Saturday anything but tranquillity prevailed; and, on the following morning, all were on the tiptoe of anxiety for the arrival of the London newspapers. These brought food to increase the exasperation of the populace. At dark on the Sunday night thousands of persons assembled in the streets of the town, and perambulated the principal thoroughfares. The result was, an attack upon the houses of all those who were opposed to the measure of reform. Windows were broken in all directions; and, as the night advanced, a body of the 15th Hussars, stationed in the neighbourhood, was marched into the town. The people were entreated to disperse, and they indeed quitted the spot on which they were found assembled, but only to make a fresh circuit of the town to complete the work of annoyance to their opponents which they had commenced.

On the next day a meeting of the inhabitants of the town and county of Nottingham was held in the market-place, in pursuance of a requisition which had been numerously signed. A stage was erected in the centre, which was speedily occupied by the mayor, Lord Rancliffe, and many

Digitized by Google

other of the influential inhabitants of the vicinity. Resolutions were adopted, and an address to his Majesty, in unison with their tenor, was enthusiastically cheered. All the speakers urged the people to be guilty of no excesses; but the mob showed little disposition to listen to advice so wholesome, and loud and deep murmurs were heard to escape their lips, expressive of their dislike for their opponents, and of their anxiety for an opportunity to take revenge upon them for their unpopular acts. Shortly before the meeting separated, fourteen bodies organised themselves, and marched in different directions, apparently intent on mischief. Many of them joined at the outskirts of the town, and proceeding to the race-course they destroyed a mill there; after which they shaped their way to the residence of Mr. John Masters, Colwick Hall. Here they committed havoc of the most serious character. Attacking the house, they soon forced an entrance, and they carried off or destroyed every article of property which it contained. The damage done was immense, and the destruction of some valuable pictures is much to be deplored. An attempt was also made to burn the premises, which, however, was unsuccessful, and the mob, armed with the iron palisades by which the house had been surrounded, returned to Nottingham. The castle of Nottingham, belonging to the Duke of Newcastle, a determined anti-reformer, was an object which was soon exposed to their fury. It had been built about one hundred and fifty years before, by an ancestor of the present Duke of Newcastle, at a cost of 25,000*l.*, and it presented to them at once the means of gratifying their revenge and their spirit of mischief. They entered the castle gates, and proceeding through the court-yard they soon reached the lofty pile. All was anxiety, but suspense was not long delayed; flames were seen in a few minutes issuing in abundance from the windows, and by the next morning the edifice was destroyed. The amazement created in the neighbourhood was intense; and for a considerable time prevented the inhabitants from taking any steps to prevent or to stop the proceedings of the rioters. The fifteenth Hussars were active in the discharge of their duties, and exhibited both judgment and humanity. On the morning of Tuesday the 11th of October, the castle was found to be still burning, but the destructive element had extended its mischievous effects only to the interior of the building. The external walls remained standing, while the whole of the interior woodwork, together with a large quantity of valuable tapestry, which formed its only furniture, had been destroyed.

During the whole of this day the troops patroled the town, but the spirit of incendiarism was abroad, and a party of the mob of the preceding night assembled at Beeston, near Nottingham, where they ransacked and fired a silk mill belonging to Mr. Lowe. The whole of the machinery and the premises were destroyed, and no fewer than three hundred persons were thrown out of employment in consequence of this dreadful act. The mob were attacked and routed, and two or three persons were killed, besides about twenty being taken prisoners; and it was only the exhibition of the determination of the military and constabulary forces to enforce the law which at length thoroughly and completely dispersed them.

On the following Thursday, tranquillity had been completely restored.

At Liverpool, Manchester, Birmingham, York, Sheffield, Northampton, Worcester, and other places, the expression of the popular opinion was no less distinct, although it was not attended with any of those mischievous

Digitized by Google

results which characterised it in the districts to which reference has been already made.

During the ensuing week, at Nottingham, active measures were taken to secure the persons of those who had been engaged in the riots in that town. The Duke of Newcastle having arrived at his seat, Clumber House, issued a proclamation, as lord-lieutenant of the county, and Clumber House, and Wollerton Hall, the seat of Lord Middleton, were both fortified and garrisoned, lest any new outbreak should take place. No event occurred, however, which showed this step to have been necessary, and in the course of a few days an additional number of twenty prisoners was made, charged with being concerned in the late riots.

The serious nature of these occurrences attracted universal attention, and it was deemed fit that the crimes of the offenders should be made the subject of investigation before a special commission.

The commission was opened at Nottingham, on Wednesday the 4th of January 1832, and the proceedings of the court terminated on Saturday the 14th of January. Many prisoners had been convicted of minor offences in the course of ten days, during which the judges had sat, and had been sentenced to imprisonment, or fine; but on the 14th of January, those who had been capitally convicted were brought up to receive sentence. Their names were, George Beck, George Hearson, Thomas Armstrong, Thomas Shelton, and Thomas Berkins. These were placed in front, and behind them stood William Kitchen, David Thurman, Valentine Marshall, and Thomas Whitaker. The prisoners were addressed by Mr. Justice Littledale, in a feeling manner: and the learned judge having stated the leading circumstances attending the riots, said that the four last-named prisoners would be recommended as fit objects for the exercise of the royal clemency—the others, however, whose share in the riots had been greater, must prepare to quit this world.

The learned judge concluded by passing the sentence of death upon the five prisoners to whom he had severally addressed himself.

During the period which subsequently elapsed before the time fixed for the execution of these culprits, great and meritorious exertions were made by the inhabitants of Nottingham to procure a remission of their sentence, which were not entirely unsuccessful. On Tuesday 31st January, letters were received by the proper authorities from the Home-office, announcing a determination that the full sentence of death should be carried out upon Beck, Hearson, and Armstrong, but that the other two prisoners, Berkins and Shelton, should be respited. Some disappointment was exhibited that this measure of clemency did not extend to the whole of the prisoners under sentence; and the arrival of the mail on the next morning, when the other convicts were to be executed, was looked for with much anxiety, in the anticipation that further letters might be received. In obedience to the wish of the townspeople, the execution was postponed from eight o'clock on the Wednesday morning until eleven; but at a quarter-past ten the mail arrived with no further respite.

The prisoners were then immediately led from their cells to be pinioned, preparatory to their execution. They had passed their time since their conviction in the exercise of such religious observances as were deemed by Dr. Wood, the minister of the jail, best suited to their position, and declared themselves perfectly ready to die. During the period occupied by their being pinioned, they were all three perfectly calm and collected.

Digitized by Google

On Dr. Wood's concluding the affecting prayer which is always read to criminals just before their execution, and on his consigning them to God's gracious protection and mercy, the procession was formed to ascend the scaffold. Beck ascended it first with great seriousness, but with a firm and unfaltering footstep. Hearson, who had joined with much fervour in all the devotional exercises of the morning, surprised all who had seen his previous conduct by the manner in which he behaved after mounting the scaffold. He took his cap off his head, waved it in a sort of triumph, and began to dance like a maniac in his chains. He recognised some individual who was seated on a housetop opposite the scaffold, and shouted out, "Well done, Will, lad." A person in the crowd said to him, "Good bye, Curley," addressing him by the name by which he was commonly known. This address set him to dancing again; and his extraordinary conduct at this crisis of his fate is attributed, not to any spirit of bravado, but to sudden delirium. He turned round to the hangman, and complained that he had not an inch of rope, saying, "Give me rope enough that I may be sooner out of misery." Armstrong, who was brought last upon the scaffold, was much distressed on seeing the frantic gestures of Hearson. About eight minutes were consumed in these preparations. Exactly at twenty minutes before twelve, the hangman drew their caps over their faces; and that ceremony seemed to be the signal for a thousand voices to utter the fearful cries of "Murder!" and of "Blood!" These sounds must have been ringing in the ears of the unfortunate men at the very moment when the withdrawal of the fatal bolt carried them from the tribunals of man to appear at the bar of heavenly justice. They were clasping each other's hands at the moment they fell, but the suddenness of their fall severed the association, and the agonies of death prevented their renewing it. They struggled, but not violently, for five minutes. At the expiration of that time, their frames had ceased to heave, and life was evidently extinct. After the cry of murder had subsided, the multitude, which must have consisted of eight or ten thousand people, behaved with great propriety and decorum. It did not, however, disperse until the hangman made his second appearance on the scaffold to cut down these unfortunate delinquents. This was done at twenty minutes before one o'clock. The bodies were then placed in their respective coffins, and were delivered to their friends in the course of the next day.

At the ensuing assizes for the county of Nottingham, some further convictions for robberies during the riots took place; and several prisoners were sentenced to transportation, to which punishment, also, the sentences of those who had been capitally convicted before the special commission, but respited, were commuted.

At the Derby assizes, on Saturday the 17th of March, several prisoners were put upon their trial for the alleged participation in the riots which had taken place in that town. The prosecution was sought to be supported by the evidence of an approver, who, however, was disbelieved by the jury, and a verdict of acquittal returned.

Other prisoners were not so fortunate, and paid the forfeit of their offences, by suffering imprisonment for various short periods.

In London, too, a similar measure of justice was dealt out to the offenders who had been secured, but the prisoners were almost all of the very lowest classes of the people, and their respective cases presented no features of general interest.

Digitized by Google

THE BRISTOL RIOTS.

These disgraceful proceedings were consequential upon the rejection of the Reform Bill, to which allusion is made in the last article. Sir Charles Wetherall, who was recorder of Bristol, had, throughout the debates which took place upon this most important subject, in his seat in parliament, delivered himself of sentiments strongly opposed to the great measure, which was justly looked upon as so important to the interests of the people; and his conduct had procured for him on this account a notoriety as unenviable as in the sequel it proved dangerous. The wishes and the desires of the people were treated by him with levity, and even with contempt; and in Bristol, more especially, a strong feeling of hostility was excited against him, from the near connexion by which he was bound to that city.

It was pretty generally known that Sir Charles would enter Bristol on the 29th of October, 1831, for the purpose of opening the commission for the trial of offenders; and very natural apprehensions were entertained that his appearance would produce some popular commotion. The mayor and civic authorities were apprised of the impending danger; and with a degree of discretion not usually found to be exercised on such occasions, they procured the aid of the military, and swore in a great number of special constables, in order to be ready to meet and quell any disturbance or riot which might arise. The office of special constable was looked upon by the more respectable portion of the inhabitants as one which, under existing circumstances, it would be irksome to hold; and many persons were sworn in, whose conduct in the end unfortunately showed how ill the confidence placed in them had been bestowed. The consequences were of the most fatally appalling nature; and the following statement of the occurrences of the 29th, 30th, and 31st of October will be read with pain, not unmixed with disgust at the excesses which were committed.

On Wednesday, the 26th of October 1831, Sir Charles Wetherall arrived at Bath; and, contrary to his usual custom, which was to take up his residence at the house of his sister-in-law, the lady of Colonel Jones, he repaired to the York-house Hotel. During his stay there, although there existed against him a good deal of angry feeling, no particular notice was taken of him. Bills, announcing the place of his sojourn, were distributed through the town; but even this failed in so far exciting the minds of the people as to induce them to offer any injury, or even insult, to the learned gentleman. The ill-feeling which prevailed against him was, however, known, and its consequences apprehended; and so desirous were his friends to avoid any popular outbreak against him, that the period of his departure from Bath was determined to be concealed. Friday night was therefore openly named as the time at which he should quit Bath, but, in reality, he did not retire from the city until Saturday morning at ten o'clock. His carriage at that hour was drawn up in the back-yard of the hotel, ready for his accommodation; and, drawn by four horses, the learned gentleman was quickly driven off.

Although he thus stealthily quitted Bath, Sir Charles had repeatedly

Digitized by Google

expressed his determination not to enter Bristol in a covert manner. He declared his belief in a "reaction," which would produce a strong feeling in his favour; and although he was warmly and strongly recommended not to adopt the course upon which it was understood he had fixed, he persisted in pursuing the line of conduct pointed out.

At about half-past eleven o'clock, Sir Charles was perceived to approach Bristol at a rapid rate, in a chariot drawn by four greys; and, on stopping at Totterdown for the purpose of being handed into the sheriff's carriage, he was instantly assailed by the most deafening yells, groans, and hisses. The constables were then, in considerable numbers, placed around the carriage; a gentleman on horseback riding close by the side of each door, and three or four hundred preceding and following. In this manner the cavalcade, which comprised also the usual number of mayor's and sheriff's officers, mounted, with favours, proceeded slowly towards the city. Just as Sir Charles was passing over Hill's-bridge, his carriage was assailed with four or five stones; but no movement took place with a view to apprehend the offenders, the whole force being anxious only for the protection of the recorder's person. As the procession moved onward, the expressions of disapprobation from the multitude became more and more deafening. In Temple-street, the windows of the houses were crowded with spectators, and the lower orders of females were particularly vociferous in the expression of their feelings, frequently charging the men with cowardice and want of spirit. In passing from the bridge to High-street, one of the constables, a respectable tradesman, received a dangerous contusion in the head; and, in the latter street, also, some few stones were thrown.

On arriving at the Guildhall, in Broad-street, it was with the greatest difficulty that Sir Charles could alight, from the pressure of the immense multitude; but, after the lapse of a few minutes, he was handed out in safety, and proceeded to take his station on the bench. The doors of the hall were then thrown open to the populace, and in a few minutes the area was completely choked up.

The usual forms for opening the commission then commenced; but the noise and confusion occasioned considerable interruption. Amidst a scene of indescribable uproar, they were with difficulty gone through; and, at their conclusion, an adjournment of the court to the following Monday morning took place. The recorder then withdrew from the bench, and the populace, after some further marks of their displeasure towards the learned judge, gave three cheers for the king and retired into the street. Some considerable time then elapsed before the recorder was taken up for the purpose of being conveyed to the Mansion-house. During the interval, Broad-street, and, indeed, the whole line of the route, was occupied by a dense mass of the population. Beyond the mere vocal expression of their feelings, however, there was nothing in their conduct, at this period, calculated to excite alarm. On Sir Charles's reappearance, he was greeted with a repetition of the same favours which had before been so liberally bestowed upon him, which continued through the remainder of his progress, with the exception that, at the Commercial-rooms, in front of which a body of his admirers had placed themselves, he was greeted with three cheers. But there was no violence until the arrival of the carriage at the Mansion-house, in Queen-square. There a few stones were thrown, and a lamp or a

Digitized by Google

window of the carriage was broken; but the recorder himself received no injury.

We have now arrived at what we conceive to be the most important part of our narrative, inasmuch as it was the universal opinion, that the proceedings which directly followed the arrival of the recorder and corporation at the Mansion-house were the more immediate cause of all the disgraceful events which subsequently occurred. A few minutes after their alighting, a rush was made on the populace by a posse of special constables, for the purpose of securing the persons by whom the missiles had just been thrown, and an individual was taken hold of, and dragged into the Mansion-house. Again another rush took place, and another capture was made; and this was repeated several times; the conviction being pretty general, that persons were selected at random. The least show of opposition on the part of the populace, who, during these proceedings, were really guiltless of any new outrage, subjected them to the most brutal attacks of some of the persons who assumed to be special constables, many of whom, by imprudently brandishing their staves, did much to excite the feelings of the people.

At this moment the number of persons collected in the square could not have been less than ten thousand; and a cry having been raised of "To the back," where piles of faggots and firewood were usually kept, a large body proceeded thither, and having armed themselves with sticks, returned in a few minutes to the scene of action. It was then that, for the first time, any serious collision was apprehended; but the constables rushing out in a body, in a moment infused terror into the people, and the sticks were soon to be seen strewed in every direction upon the ground. These were gathered up in bundles and carried off. This was about half-past twelve o'clock. From that period till about four o'clock, the time was passed in occasional skirmishes between the constables and the populace, which generally ended in some one being taken into custody. During these proceedings it was visible that the people were becoming more and more exasperated. Now and then a pane of glass was smashed in, or a club hurled at the heads of the constables; and these attacks generally led to measures which heightened, rather than allayed, the popular feeling.

At about four o'clock, when the shades of night were rapidly approaching, a considerable portion of the constabulary force was most unadvisedly permitted to retire to their homes, for the purpose of refreshing themselves, with an understanding that they should return to relieve the remainder at six o'clock. From that moment the mob became more daring in their attacks on the Mansion-house, until at length the mayor came forward to beg of them to desist, and to retire to their homes. The sentiments delivered by his worship on this occasion were such as did honour to his heart, though it is to be regretted that he did not come forward at an earlier stage of the proceedings, before the minds of the people had been so highly wrought up. His worship, during his address, was assaulted with stones, and a very large one very narrowly missed striking him on the head. The Riot Act was then read, but without producing the least effect upon the mob, who, perceiving the weakness of the force opposed to them, rushed upon the constables, disarmed them, and beat them severely. In this affray many persons sustained serious injuries. One constable, as a

Digitized by Google

condition of release from their vengeance, was compelled to throw his own staff at the mayor's windows; others were obliged to seek refuge in flight; and one was actually chased into the float (dock), whence he was taken up by a boat-hook.

Nothing now remaining to curb the mob, the work of violence immediately commenced by a general and simultaneous attack on every part of the Mansion-house. In an instant the windows and sashes were smashed to atoms; the shutters were beaten to pieces; the doors forced; and every article of furniture on the ground-floor broken up. Tables, chairs, sideboards, mirrors, chimney-glasses, were demolished. The iron palisades, together with the curb-stones in which they were set, were thrown down as if they had been mere reeds stuck in a mud-bank, and furnished many a desperate villain with a formidable iron bar; young trees were torn up by the roots, and converted into weapons of destruction; walls were thrown down to provide bricks with which to assail the upper windows; and straw and combustibles were procured with which to fire the whole premises. At this critical moment it was that Sir Charles effected his retreat, in disguise, through the adjoining premises; but it was not made known until twelve o'clock on the following day that he had left the city. For the present, however, the Mansion-house was saved from conflagration by the arrival of the troops.

It was supposed, judging from the conduct of the mob in the morning, that the appearance of two troops of horse would have been the signal for a general rout. They had now, however, acquired a considerable accession of force, and it was obvious that they had been joined by some of the most determined and desperate characters of the place. Instead of retreating, the thousands who were present, clustering like bees on the adjoining walls and elevations, cheered the troops with the greatest enthusiasm.

Under the protection of the military, the constables and specials again collected in considerable numbers, and several of the most daring of the mob were made prisoners. Still it was found impossible to clear the square or the streets adjacent. The soldiers trotted their horses backward and forward amidst the cheers of the mob, but not the slightest disposition was shown to disperse. The colonel of the district (Colonel Brereton), exerted himself in the most humane and laudable manner. He harangued the multitude, begged and entreated them to repair to their homes, and cautioned them of the dreadful consequences which their conduct otherwise would infallibly draw upon them. He was everywhere received with the greatest cordiality, and with loud cheers.

In the manner already described, things proceeded in the square until twelve o'clock at night. About this time a party of the rioters, disappointed by the restraint which the troops imposed upon them, proceeded to the Council-house, where they commenced operations by smashing the windows. Meanwhile orders were given to the cavalry to make a charge, and here the scene became one of the greatest confusion. The people who ran in all directions, were pursued through the streets for a considerable distance by the soldiers, and several of them received severe cuts from their sabres. Many of the people took refuge in the various passages in Wine-street, from whence they assailed the troops with stones, particularly at the top of the Pithay, where one of the soldiers having been struck, he immediately turned round and shot a man dead upon the spot. This was at half-

Digitized by Google

past twelve; and the soldiers continuing to gallop about the street, prevented the re-assembling of the mob during the night.

On Sunday morning the people again began to collect at an early hour in Queen-square, but everything remaining quiet, and it being hoped that danger had subsided, the troops were withdrawn for some refreshment. They had scarcely disappeared when the mob again commenced their outrages. Ascending now to the upper rooms of the Mansion-house, they proceeded to throw out the valuable furniture into the square. The drawers and other depositories were ransacked, and wearing apparel, bed and table linen, china, &c. were plundered, or wantonly destroyed.

But another, and a most dangerous, exciting cause began to develop itself. During the sacking of the Mansion-house the wine-cellars were forced; and it is supposed that at least one-third of a stock of three-hundred dozen of choice wines was carried off, and wasted and drunk by the mob. It is needless to say that the result was fraught with the worst possible effects; they became madly infuriate, and regardless alike of what mischief they committed, or what risk they incurred. The scene at this moment was of the most depraved description; all ages, of both sexes, were to be seen greedily swallowing the intoxicating liquors; while upon the ground the bodies of scores were to be found, dead with drunkenness. The streets remote from the scene of action, from this time became noisy from the turbulence of wretches who were to be seen staggering about in all directions. The troops were then speedily replaced, but the infuriate mob began to act on the offensive, and sought to wreak their vengeance on them for the wounds they had inflicted on the preceding evening, and particularly to be revenged for the killing of the man on the top of the Pithay. They attacked them with a shower of stones and brickbats, which the men were prevented from resisting, no magistrate being in attendance to take the responsibility of orders to that effect. In this state of things the commanding-officer judged it prudent to withdraw the troops (the 14th Light Dragoons) and replace them with a body of the 3rd Dragoon Guards, commanded by Captain Warrington. On the retirement of the former, they were followed by a large portion of the mob, who continued their assaults upon them along the quay and over the drawbridge. On arriving at St. Augustine's Back, being provoked beyond further forbearance, they turned round and fired several shots on their assailants. The mob, however, nothing daunted, still continued to follow them; and in College Green some further firing occurred. In this place a considerable number of persons had assembled, expecting that Sir Charles as usual would attend Divine Service in the Mayor's Chapel. Still the mob continued their assaults, hanging upon the soldiers' heels, until they arrived at their quarters in the Boar's-Head-yard, where they were again fired upon. The discharges, as the result must show, were however but partial; the number of killed being only one, and wounded seven or eight. One poor fellow, who had taken no part in the disturbances, was shot through the arm as he was standing upon the Quay, on the opposite side.

Immediately after these occurrences, Colonel Brereton rode down to the Square, followed by a considerable number of men and boys, who cheered him on his way thither. He assured them that there should be no more firing, that the 14th should be immediately sent out of the city, and again exhorted them to return to their homes. This was about eleven o'clock;

Digitized by Google

and it was truly awful to reflect on the scenes which were passing at the time when service was commencing in the churches in the neighbourhood. In the square, with the exception of the scenes of drunkenness which were still going on, nothing particular transpired until the evening, with the exception that an individual mounted the statue of King William, and fixing a tri-coloured cap on a long pole, pronounced aloud, "The Cap of Liberty." The soldiers were drawn up in front of the Mansion-house, and the mob seemed nowise disposed to molest them.

After a while, however, they manifested a restlessness for action, and a party, by no means numerous, proceeded to the Bridewell, for the purpose of rescuing the prisoners. On their arrival, they lost no time in procuring sledge-hammers from the nearest smith's shop, and immediately proceeded to beat in the doors. The keeper, Mr. Evans, had just sat down to dinner when he received the visit of the unwelcome intruders. Having succeeded in opening the doors, they became apprehensive that the large folding-gates, which at night shut up the thoroughfare, would be closed upon them, and they directly set about removing them. This they accomplished with the most astonishing facility, and disposed of them by throwing them over the bridge into the float; they then proceeded to liberate the prisoners, and having accomplished their end, they forthwith set the building on fire. During their operations not the slightest molestation was offered to them. This happened about two o'clock.

About the same time a stronger party of rioters, comprising, indeed, almost the whole body, proceeded to the New Jail, a strong-built modern edifice, having been erected about ten years before, at a cost of nearly 100,000*l*. The scene which there presented itself almost baffles description. Along the New Cut, in front of the jail, a dense mass of the rioters had assembled; and on the opposite bank of the river, and, indeed, wherever the eye could range, the people were posted in thousands. The mob had already succeeded in forcing an entrance into the yard and the governor's house, and were busily employed in throwing every moveable article into the New River; and, as the tide was fast ebbing, all was carried off by the stream. The caravan used for conveying the prisoners to the Guildhall, was launched into the water entire, and thither also were consigned the governor's books, and the apparatus for constructing the drop. The rioters procured hammers from the adjoining ship-yard, and with them the massive locks on the iron doors of the different wings were smashed to atoms. The prisoners were now released, and the scenes which followed were dreadful. Many of them, both male and female, stripped off their prison clothes, and proceeded on their way almost in a state of nudity. As they passed along, the mob cheered them and followed them with exultations. Many of them met their friends on the outside; and it is not easy to depict the extravagant joy with which they mutually embraced each other.

After the prisoners had been liberated, amounting altogether (exclusive of debtors) to more than one hundred, the next step taken was that of setting the prison on fire; and a black handkerchief having been tied to the weathercock on the top of the porter's lodge over the gateway, it seemed to be the signal for commencing operations, for immediately after dense clouds of smoke were seen to issue from every part of the building. The flames were first seen to break out from the tread-mill, which burnt

Digitized by Google

with fury until it was quite consumed. In about an hour the governor's house, over which was the chapel, was completely enveloped in flames, and the reflection on the heavens was grand and terrific. The wings, however, being almost exclusively of stone and iron, with iron roofs, were but little injured by fire; though the rioters left behind them every possible mark of wanton outrage. During the proceedings, and while the prisoners were in the course of liberation, a party of the third guards, about twenty in number, arrived; but the mob appeared nothing intimidated; but cheered the troops, who acknowledged the compliment by taking off their caps, and almost immediately after turned round and departed.

As soon as the work of destruction was here completed, the rioters divided themselves into parties, the one proceeding to the toll-houses, at Prince's-street-bridge, another to that at the Wells, and another to that at St. Philip's. These, in the present state of things, were considered minor affairs, and were speedily in flames. The tenants had liberty given them to remove their effects. While these were being destroyed, the fire at the prison raged with the greatest fury.

The rioters then set off, about seven o'clock, to the Gloucester county prison, Lawford's-gate, which in a short time was broken into, the prisoners all released, and the building also fired. Here the flames were as appalling as at the new jail. At the same time, also, a party proceeded to Bridewell, which had been only partially destroyed, and kindled up the wing occupied by the keeper; so that the three prisons were in flames at the same instant.

There was now not even the appearance of a check to the licentiousness of the mob, nor indeed had there been since the firing of the soldiers in the morning; and they seemed to revel in a consciousness of their security. Accordingly, a mere handful of the miscreants proceeded to the Bishop's-palace, Canons' Marsh, and, having effected an entrance, immediately commenced the work of destruction. A few individuals, however, were hastily collected, and for a while succeeded in staying their diabolical designs. Orders were sent for the military, who had been guarding the Mansion-house, to repair for the protection of the bishop's residence. They had no sooner left for that purpose, than the mob, who had all day meditated the total destruction of the Mansion-house, commenced operations, and in a very short period set it on fire, beginning in the kitchen under the banqueting-room. On the arrival of the troops at the Bishop's-palace, they found things there tolerably secure; but the flames which even then arose from the Mansion-house, too plainly indicated that they had gone to the protection of the one place at the expense of the destruction of the other. They turned back again, but by the time of their re-appearance in the square, the reflection on the opposite side of the Froom made it apparent that, by their endeavours to protect both places, each had been sacrificed to the fury of the incendiaries. When they arrived in the square, they found the whole of the back premises of the Mansion-house burning fiercely, and the rooms in the front occupied by wretches facilitating the destruction of the building, by firing the apartments simultaneously. The infatuated creatures, no less intoxicated with their successful career than with liquor, pressed forward to the windows and waved their handkerchiefs, cheering at the same time, in exultation of the final accomplishment of their designs on the ill-fated building. Many of them

Digitized by Google

paid the forfeit of their lives for their criminal temerity. From the rapidity of the progress of the flames, it is supposed that some were cut off from a retreat, and that they thus met with an untimely end. The fire spread with most surprising quickness, and in about twenty minutes the roof fell in, and, together with the whole front, came down into the street, with a tremendous crash.

By this time, the fire at the Bishop's-palace raged throughout the whole pile of building, which in a short period was reduced to ashes. The Right Rev. the Bishop, who happened to have been in town during the last ten or twelve days, removed out of the city about the middle of the day; and the most valuable of his effects had also been removed, as a measure of precaution.

But to return to the square.—After the destruction of the Mansion-house, it was hoped that the fury of the mob would have been appeased. The military, having no orders to act otherwise than as mere spectators, were, immediately after their arrival, withdrawn, and joined the remainder of their comrades, altogether few in number, in protecting the Council-house, which it was expected would be the next public building attacked. It was at least hoped that the house adjoining the Mansion-house, if not protected from the flames, would be the last that would be permitted to be destroyed; but we blush while we record the fiend-like conduct which followed. The rioters conceived the plan of firing the adjoining houses, and, by twelve at night, the whole mass, from the Mansion-house to the middle avenue, including the Custom-house, and all the Back Building, in Little King-street, was one immense mass of fire. The Custom-house, as may readily be supposed, was a large building, and the expertness of the wretches in lighting it up, it is certain, proved the destruction of many who were ranging the upper apartments. Many of them were seen as they approached the windows to drop into the flames, and others, among whom was a female, threw themselves in desperation from the windows. The latter was carried to the infirmary, where she subsequently died.

Again the hope was raised that the dreadful work would now cease; but it was in vain. A small band, chiefly boys, who seemed to go about their work as if they had been regularly trained to the hellish employment, proceeded to extend the ravages of the devouring element, preceding their operation by giving half an hour's notice to the inmates to retire. The windows were afterwards smashed in, the furniture thrown out and carried off, and the premises ignited with a rapidity truly astonishing. In this manner they swept away one whole side of the square, and then proceeded to another, commencing with the Excise Office, at the corner. To follow up the account from this time, three o'clock in the morning, would only be a repetition of the details which we have already given.

Morning dawned on such a scene as had never before been witnessed in this place. The flames, it is true, were subsiding, but the appearance of Queen-square was appalling in the extreme. Numerous buildings were reduced to a heap of smoking ruins, and others were momentarily falling in; while around, in various parts, lay the rioters, in the last stage of senseless intoxication, and with countenances more resembling fiends than men. Meantime the soldiers, who had been ordered out of town, were remanded; and the magistrates, having again assembled, came at length to a decision, called out the *posse comitatus*, and made an application to Mr.

Digitized by Google

Herapath, through the medium of Mr. Under-Sheriff Hare, for the assistance of the Bristol general union. Mr. Herapath, their vice-president, called the members together by public notice—a course which we understand he had already determined on; and in a short time a large body of them had collected together; previous to which Mr. Herapath was invested, by the magistracy, with an authority equal to that of the Under-Sheriff. We are sorry to have to record another piece of folly. The military were ordered to clear the streets—an order which was fulfilled to the letter by a party of the troops which had experienced some rough treatment, and had, in consequence, fired upon the people on the previous day. The sight of this useless piece of duty was peculiarly distressing; nothing was to be seen on every side but unoffending women and children, running and screaming in every direction, while several men, apparently on their way to work, were deliberately cut at, several seriously injured, and some killed. Yet worse effects might have followed this ill-advised measure, if the soldiers had not been shortly after withdrawn from their bloody work, and the streets principally manned with the inhabitants, armed with good strong staves. Several troops, however, of soldiers, together with the eleventh regiment of foot, continued to reach Bristol during the day, and, in the course of the afternoon, intelligence having arrived that there was some disturbance in the neighbourhood of Lawrence-hill, a party galloped off, and secured four countrymen in the very act of robbing a house. With these exceptions, no further collision with the military took place.

Towards the evening, the flames in several houses of the square broke out afresh, and part of the pavement in King-street was forced up by the heat arising from some brandy which was burning in the vaults beneath; but the engines being in readiness, no further injury occurred. An attack on the shipping having been anticipated, the ships' bells were rung, signal-guns were fired, and every thing was prepared for resistance. The Earl of Liverpool was moored in the centre of the river, and mounted with guns, an attack on her in particular having been expected; but happily these anticipations were not realised. It being thought possible that if the rioters renewed their attempts, they would, in all probability, endeavour to reduce the streets to total darkness, by cutting off the gas-pipes, the magistrates issued a notice, recommending the inhabitants to illuminate their houses—a recommendation which was pretty generally complied with. The churches also were lit up, and the *posse comitatus* of the several parishes were stationed in them, a constant guard being kept up, and relieved at stated intervals. The members of the union paraded the streets during the whole of the night.

These measures at length effectually put an end to the frightful scenes which had been enacted during the last two days. In the course of the ensuing week, the magistrates and other authorities of the place were occupied in adopting such measures as would prevent the repetition of the attack, in disposing of the cases of the various persons in custody, who had been concerned in the riots, and in making other general arrangements to secure the tranquillity of the town. Nearly two hundred persons were found to have been secured, but of the whole number, there were very few who were really inhabitants of Bristol, or who were in any way connected with the political party interested in the opposition offered

Digitized by Google

to Sir Charles Wetherall. Many of the facts which were disclosed in evidence before the authorities, as to the occurrences of the days of the riots, were of the most astounding description. Prisoners were proved to have been made, whose pockets and houses were crammed with stolen property, consisting of furniture, gold and silver plate, specie, bank-notes, and other matters of great value. Many inquests were held upon the bodies of persons who had been killed during the riots, in the course of which the most frightful disclosures were made. No new riot, however, arose, and the system of watch and ward, which was adopted, effectually prevented the repetition of such outrages as had been committed. The conduct of the magistrates became the subject of discussion, and many were found who did not hesitate to assert, that they had exhibited great pusillanimity in the course which they had taken. The magistrates were not backward in entering into a defence of their proceedings. They in turn imputed blame to the military, whilst Colonel Brereton declared that he had been actuated by a feeling of humanity only, and by a positive conviction of the uselessness and the danger of infuriating the mob, to the destruction of life, as well as property, by adopting steps more decisive than those which he had taken.

The result of this event, however, was a conviction throughout the public mind, of the necessity of some improvement in the police system of the country. Already had the institution of a metropolitan police force produced a firm reliance in the powers of such a body to suppress outrages of a similar description, and the adoption of some new measure, more extensively carrying out the general plan, was strongly recommended to the attention of Parliament by his Majesty, on his opening the session, on the 6th of December following. The recommendation was not unattended with good results, and the adoption of a measure sanctioning the establishment of a police force in Bristol, similar in character to that which existed in London, afforded considerable satisfaction to the inhabitants of that city.

A special commission for the trial of the persons who were in custody, and who were charged with having been concerned in the riots, commenced at Bristol on Monday, the 2nd of January 1832.

On Tuesday, William Clarke, Patrick Kearney, James Williams, Daniel Higgs, James Courtney, and John Mackay, were placed at the bar. They stood indicted for that they, in that part of the parish of Bedminster within the city and county of Bristol, with others riotously and tumultuously assembled, and pulled down and destroyed a house, the property of his majesty. Other counts in the indictment laid it as the property of the corporation of Bristol, of the citizens, of the commissioners for building the jail, and of the governor.

Having pleaded severally "Not guilty," they were again arraigned upon the indictment for having burned down the same jail; to which also they in a firm tone put in their plea of "Not guilty."

The attorney-general, in opening the case, said, that the charge now against the prisoners was framed on the words of the Act of the 7th Geo. IV., which contained almost in precise words the terms of the Riot Act, passed in the 1st Geo. I., "that if any persons shall riotously and tumultuously assemble together, and begin to pull down any house, &c., every such offender shall be a felon without benefit of clergy." Under this Act

Digitized by Google

of Parliament, persons tumultuously assembling together for the purpose of destroying any house were guilty of felony. With regard to the individuals now before them, it would be proved that they were riotously and tumultuously assembled together, to the disturbance of the public peace; that they were parading the town about noon on Sunday, the 20th of October, in the most riotous and disorderly manner; that after destroying the Bridewell by fire, they proceeded to the public jail, and whether for the purpose of liberating the persons there confined, or with a view to the general destruction of property, they broke into the jail, and set fire to several parts of it. Clarke was seen with a crowbar on his shoulder, actively engaged in the acts of violence and outrage at the head of the party that attacked the jail, which was a strong building, and the gates of which required considerable force to break them down. They did resist for some time all the combined efforts of the mob. At length, however, an entrance was effected by making a small hole through one of the gates, through which some of the rioters made their way, and who succeeded in wrenching them from their hinges. Arrived at the interior of the jail, the mob proceeded, amongst other acts of outrage, to the destruction of the governor's house, which was in a short time reduced to a heap of ruins. These acts would be satisfactorily proved; and it would be also proved, that the prisoners criminally participated in those acts of outrage. To establish still more clearly the guilt of the prisoner Clarke, it would be proved that he was afterwards seen with the keys of the prison in his hand, going about in one of the public-houses in the town, boasting of what he had done—talking of the keys of the "Hen and Chickens," or some expression to that effect, and indulging in the most violent and inflammatory language. He believed that this prisoner was rather of a superior caste, and one from whom such conduct was not to have been expected. He stated himself to have been a Dorsetshire man, and it appeared that he had for some time been himself the proprietor of a public-house. It was to be the more lamented that an individual thus raised above the common crowd should have demeaned himself in so disgraceful and criminal a manner. With regard to all the other prisoners, he did not believe that they would be affected by evidence of the same strong description; but he believed there was not one of them who would not be clearly proved to have taken a large share in the late disgraceful riots.

Several witnesses were then called, who proved most distinctly the active part which Clarke had taken in the disturbances. The trial was continued by adjournment from Tuesday to Wednesday, when the jury found Clarke, Kearney, Higgs, Courtney, and Mackay, "Guilty;" but acquitted Williams.

Clarke, the principal prisoner, appeared throughout the investigation in a most deplorable state, and his weak nerves, contrasted with his muscular figure, rendered him an object both of surprise and compassion. He fainted two or three times, and seemed in a state bordering on insensibility during the three hours which it occupied the lord chief-justice in summing up. He was a strong athletic man, rather above the common size, with nothing in his countenance indicative of the determined outrages laid to his charge. The prisoners Williams, Kearney, Higgs, and Mackay, were young men of about twenty years of age, and Courtney about the middle age; they all appeared to be of an inferior station in life, and presented nothing remarkable in their appearance.

Digitized by Google

Thomas Evans Bendall, aged nineteen, and James Sims, aged eighteen, were then placed at the bar, charged with having riotously assembled, together with other persons, to the disturbance of the public peace, and with having demolished and destroyed, or begun to demolish and destroy, a certain dwelling-house, the property of the Lord Bishop of Bristol. The attorney-general, in stating the case, said, that though by the act of parliament, the mere beginning to pull down and demolish any building was sufficient to constitute the offence with which the prisoners were charged, yet in this case he should be enabled to prove that the prisoners had been most active on this particular occasion. An attempt was made to prove that Sims was *silly*, but both were found guilty.

On Wednesday, Christopher Davis, a man of most respectable appearance, about fifty years of age, was placed at the bar, charged with having, on Sunday, the 30th of October, with divers other persons, riotously assembled, demolished and pulled down a certain house belonging to his majesty, called the New Jail. The attorney-general, in opening the case, described the prisoner as having acted as a leader of the mob. He would be proved to have been first at the Mansion-house, encouraging the mob by gestures and by language; to have been one of those who entered that building; to have been up during the whole night; and to have been present at all the disturbances of Sunday. He was near the Bridewell when it was broken into; he was afterwards in Queen-square and at the New Jail, where he was seen at the time that building was in flames. He would be proved to have been seen waving his hat, saying that it was a most glorious sight, and what he had long wished to see; that the churches should be pulled down to mend the highways, and that the bishops should be put down. When the Bishop's Palace was in flames, it would be stated to them by a witness, that he appeared quite overwhelmed by joy. He expressed his readiness to head any mob for purposes such as these. He waved his hat on his umbrella, as if it were a cap of liberty. He was a man of most respectable situation in society, retired from business, and living with his family on a comfortable independence thereby acquired. From such a man a very opposite course was to have been expected—one would have thought he would have rather dissuaded the mob from their disgraceful outrages, than have given his open approval to them.

Several witnesses were then called, who sustained the opening of the attorney-general to the letter, and on the following day the prisoner was found "Guilty."

Many other prisoners were also convicted in the course of the week, and on Thursday a most heart-rending scene was presented. The capital convicts were then brought up to receive sentence of death. Their names were Christopher Davis, William Clarke, Thomas Gregory, Richard Vines, and Joseph Keys, and each prayed with earnest cries for mercy.

The Lord Chief Justice, in a most impressive, though tremulous, manner, addressed the prisoners:—

"Prisoners at the bar:—You have been convicted, five of you in number, upon evidence, in each particular case, which can leave no doubt of your guilt, upon any reasonable mind, of crimes so deeply affecting the interests, and even the very existence, of human society, that your lives have become justly forfeited to the laws of your country. Assembled together with

Digitized by Google

multitudes of other evil-doers like yourselves, you have, by threats and acts of violence, thrown the peaceable and industrious inhabitants of this city into a state of panic and alarm—you have deprived many of their only means of livelihood—you have carried fire to public buildings and to private dwellings, and have exposed the property of all to pillage, and the lives of many to destruction. Human society cannot be held together, if crimes like these are not put down by the strong hand of the law. Unless others are deterred from the commission of similar enormities by the just severity of your punishment, all that makes life valuable to man—the free enjoyment of the fruits of his honest industry, and protection from personal violence, must be altogether given up. The innocent and weak will become a prey to the wicked and strong; and mere brutal force will take the place of order and of law. What motive could lead you to the commission of these crimes it is impossible, from the evidence brought before us, to judge with any reasonable certainty. It was not the pressure of want or misery—it was no grievance, imaginary or real, under which you laboured. I fear no other purpose can be assigned that will apply to the greater number of those who shared in these wicked transactions, than that of giving up this city to flames, that it might become the object of universal pillage. You stand, each of you, a striking and awful example to others, of the wickedness which men commit, and the misery which inevitably follows it, when they throw off the restraint of the laws of God and man, and give themselves up to their own unbridled passions. I can only pray that your unhappy example may be the means of preventing all others from treading in your steps."

Having then separately referred to the circumstances of the cases of the various prisoners, he said in conclusion—

"Let me most earnestly exhort you all to prepare yourselves, by every means in your power, for that great and awful change which doth most assuredly await you within a very short time; apply yourselves earnestly and fervently to the Throne of Grace, that you may endeavour to obtain from him, who knows how to reconcile mercy with justice, that forgiveness which the laws of man cannot extend to you. And now, nothing more remains than the duty, to me a most painful one, of pronouncing the last sentence of the law—That you, and every of you, be taken to the place from whence you came, and from thence to the place of execution, where you will be severally hanged by the neck until you are dead; and may the Lord, in his infinite goodness, have mercy on your guilty souls."

This awful ceremony having been gone through, the prisoners were removed in a most pitiable condition.

The following prisoners were then brought up:—

Patrick Kearney, Daniel Higgs, James Courtney, John Mackay, T. E. Bendall, James Sims, John Powel, Matthew Warry, Cornelius Hickey, James Snook, William Reynolds, George Andrews, Patrick Barney, Benjamin Broad, Stephen Gaisford, Michael Sullivan, Timothy Collins, Henry Green, and Charles Williams.

The Lord Chief Justice addressed them in the following terms:—

"Prisoners at the bar,—After patient trials, before impartial and intelligent juries, each of you has been found guilty of an offence against which the laws of your country have, for the security of all, denounced the sentence of Death. You have, with many others, who for the present have escaped

Digitized by Google

the hands of justice, devoted to plunder and destruction the city in which you live, and the place which had afforded to all of you subsistence and protection. You have reduced parts of it to a state of ruin and desolation, more complete than any foreign enemy, unless the most merciless, would have inflicted upon it. You have deprived many industrious families of their only means of support and subsistence; and the blood which it was necessary to shed in order to repress your acts of wanton outrage may be justly considered to lie at your door. But the hope we entertain that the fate of those upon whom the sentence of the law hath been passed, will operate as a sufficient warning to all others, induces us to join in an humble recommendation to his majesty that your lives may be spared. I would not, however, have you expect, that by escaping the bitterness of death, you have avoided all punishment for your offence. You will pass the remainder of your lives in a foreign and a distant land, separated for ever from parents, relations, and friends, and in a state of severe labour and privation."

Patrick Kearney, who, evidently, when first brought up, expected the extreme sentence would be passed upon him, and was then crying and begging for mercy, when he had heard the sentence, brightened up, and said, waving his hat at the time, "Never mind, my life is saved and Ireland is free."

The day's proceedings thus concluded; and on the following day the business of the commission terminated.

On Friday, the 27th of January, the sentence of death which had been pronounced, was carried out upon the four convicts—Clarke, Davis, Gregory, and Keys, Vines having been respited on the previous day. The miserable convicts, after their trials, conducted themselves with much propriety. They were attended by the reverend chaplain of the jail, and by the Rev. Mr. Roberts, a dissenting minister, whose exhortations were received by them with much apparent satisfaction. The place where they were doomed to receive their death was the very spot which had witnessed the commission of the crimes of which they had been found guilty—the New Jail. The outside walls now only remained—a sad memento of their desperate purposes.

Every precaution was taken to preserve order. The sheriffs arrived about eleven o'clock, and immediately proceeded to the cells of the wretched men, who were deeply engaged in devotion. It was not till past twelve that they were brought from their cells. The short time of anxiety which had elapsed since their trials had made a deep impression upon all. Still they were all comparatively firm, without the slightest tendency to bravado or improper boldness. The mournful procession slowly paced the prison-yard, the chaplain repeating the Burial Service—"I am the resurrection and the life." Having gone round the ruins of the governor's house, they approached the lodge, and then went up the winding staircase to the press-room.

The customary ceremonies were here gone through, of pinioning the convicts; and the procession once more, and for the last time, resumed its march, going up the winding staircase to the top of the lodge on which the scaffold was erected. Here all knelt down, and the Rev. Mr. Roberts offered up a prayer for heavenly mercy. The executioner now made his appearance. Davis was then conducted up the stairs to the frail scaffold,

Digitized by Google

followed by Gregory. The latter bowed to the populace. Davis took no notice of those beneath, but once cast his eyes up to the fatal beam. Clarke next ascended, and was followed by Keys. The reverend divines having prayed with them a short time, and again taken leave of them, the caps were pulled down over their faces, and the fatal bolt was drawn. Keys apparently suffered much—the others died almost instantly. The crowd did not utter any expressions of approbation during the time of execution —all were quiet, and apparently were not much affected by this dreadful exhibition.

During the time occupied by the proceedings of the special commission, other inquiries were carried on scarcely less interesting to the inhabitants of Bristol. The first of these was an investigation by court-martial of the conduct of Lieutenant-Colonel Brereton in the affair. The charges made against him were, for negligence and want of due energy in assisting the civil force to suppress the tumultuous outrages of the mob during the riots in the city of Bristol on the 29th, 30th, and 31st October. The case against the defendant was opened on Monday 9th January, at the Merchant's Hall, in the presence of a very crowded audience, including many ladies. Captain Thomson, of the 81st foot, acted as Deputy Judge Advocate. Mr. Erle was counsel for Colonel Brereton; and General D'Albiac, at the command of his Majesty, conducted the prosecution. Colonel Brereton, on the charges being read over, pleaded Not Guilty.

General D'Albiac opened the case, calling upon the Court to form their judgment strictly upon the evidence, and to relieve their minds from all extraneous observations which might have arisen elsewhere.

The first witness called was Mr. Serjeant Ludlow, town-clerk of Bristol. He was at the Mansion-house on Saturday the 29th of October, from twelve at noon till twelve at night. There was a riotous and tumultuous assemblage in front of the house; the troops were called out under the command of Colonel Brereton; orders were given to Colonel Brereton to clear the streets, disperse the mob, and get the city quiet; this was not peremptorily and effectively done; the riots continued at intervals till twelve o'clock at night. The following statement was then made by the learned serjeant:—When Lieutenant-Colonel Brereton and the troops came to the Mansion-house door, the people on the outside were engaged in battering the front door; they had battered in one of the windows on the ground-floor, and some of them had entered into the dining-room. The immediate effect of the arrival of the troops was to remove them from the front of the Mansion-house, but they did not withdraw far. I repeatedly noticed, that the people having withdrawn from the streets while the soldiers were passing, immediately afterwards returned again to the front of the very door of the Mansion-house; occasionally stones were thrown at the windows, and indications of tumult and violence did not appear to me to have decreased materially. Colonel Brereton occasionally went down stairs and returned, and said that the people appeared to be very good-humoured, and he had no doubt he could drive them away by merely walking the horses. Just before one of these occasions, two of the soldiers of the 14th were brought in wounded—one of them very seriously. I asked Colonel Brereton if he thought that a symptom of good-humour on the part of the people out of

Digitized by Google

doors? I said also they appeared to me to be increasing in number rather than lessening; and it certainly was intimated to him that it would be desirable to get the city quiet. The effect of his answers was such as to induce me to ask him if he had any recent instructions from the War Office to prevent him from attending to the directions of the magistrates? He said, "My directions are to attend to the orders of the magistrates." I then said, the mayor and one or two of the aldermen being near, "Your directions are immediately to clear the streets, and to get the city quiet as soon as you can," or to that effect. Some sort of cavalry movement was made in the interior of the square, where the people had collected; they were driven from the green part of the square, and entered the courts in front of the houses, and occasionally returned to the front of the Mansion-house, and continued the same kind of conduct which had prevailed the early part of the evening; in short, they were not effectually dispersed. Late in the evening, probably eleven o'clock, an officer of dragoons came into the room where we were. Colonel Brereton was in the room at the time. The officer stated, that his troops were receiving considerable annoyance in one of the streets near the Mansion-house, the situation of which he described. He said, that the lights (lamps) had been put out—that it was quite dark—and that the people, when followed by the soldiers, retreated into some boats or barges lying in the river, from which they annoyed the troops, and where of course the troops could not follow them; he said he wished to fire a few ball-cartridges in that direction. One of the magistrates, I believe Mr. Alderman Daniel, said, that in the situation in which the boats were described to be, there were probably a good many people going from market in the market-boats, and it would be desirable to avoid injuring those persons if possible. One of the gentlemen present, I believe a special constable, said, "Let me have twenty-five men, and be supported by the troops, and I will undertake to go down and dislodge the people in the boats." That operation certainly would have been undertaken if it had not been for what Colonel Brereton said. He said, "If you'll take my advice, you'll let them alone; it 's getting very late, and I dare say they will go quietly home to bed." Some observation was made as to the necessity of getting the city in a state of peace and quietness; upon which Colonel Brereton answered, his men should patrole the streets during the night, and that he would be answerable for the peace of the city, or words to that effect. The officer of the 14th went away, and Colonel Brereton retired shortly afterwards.

Several other witnesses were called, whose testimony went to show considerable want of energy on the part of the colonel, as well as mistaken lenity, that led to the perpetration of outrages, which, had a more decided and vigorous policy been adopted, might have been prevented.

The inquiry had proceeded to a very considerable length, and on Friday was approaching a termination, when an event occurred which effectually put a stop to all further investigation, while it cast an additional gloom upon this most lamentable affair. It appears, that the gallant colonel seemed to feel the full force of the evidence against him as it went on, and was obviously much depressed. On quitting the court on Thursday afternoon, he went, as usual, to Reeve's Hotel, where he remained during the evening. At twelve o'clock his gardener brought his horse and gig, and he

Digitized by Google

drove home to his house, called Bedfield Lodge, about a mile and a half from the city. He retired to his room without exciting any particular remark on the part of his servants; but about three in the morning his housekeeper heard the report of a pistol: she immediately called the guard and footman, who entered his room, and found the unhappy man weltering in his blood on the bed. Life was extinct; and on examination it turned out that he had shot himself through the heart. Surgical assistance was instantly summoned, but it was without avail. The news of the melancholy event reached Bristol at an early hour on Friday morning, and produced a most painful sensation in all ranks.

The effect of this tragical circumstance was the termination of this court-martial, which, however, was followed by another upon Captain Warrington, the inferior officer of Colonel Brereton at Bristol, at the time of the riots. The insertion of the following paragraph, however, which appeared in most of the public prints of the day, will be deemed only just to the memory of Colonel Brereton, before we proceed to the conclusion of this dreadful business:—"The proceedings of the court-martial evidently preyed on his susceptible and humane mind. He is acknowledged by all parties to have been a man of the most kindly and benevolent disposition, and during the eight years he has held the command of the district, was universally respected. He has been a widower for above two years, and has left two daughters, the one five, and the other three years old. He had served abroad, and distinguished himself as a brave and excellent officer. He was fifty years of age, thirty-three of which he had been a soldier; and as a testimony of the regard in which he was held, had received a sword, value two hundred guineas, from his brother officers. There is no doubt his mistaken lenity was influenced by his desire to avoid shedding human blood, and a conviction that he should have been able to pacify the mob without proceeding to those extremities which his duty under the circumstances clearly demanded. It would be ungenerous now, however, to dwell on the errors of one whose fate every feeling heart must deplore."

It was on Wednesday the 25th of January that the court-martial upon Captain Warrington commenced its proceedings. The charges preferred were three in number. The first imputed that, on the night of the 30th of October 1831, being in personal command of a troop of the 3d Dragoons in the city of Bristol, at the time when the most outrageous and alarming riots prevailed, although required by Mr. Thomas Kington, a merchant of the city, who required his aid, and that of the military under his command, to prevent the firing of the Custom-House, he not only refused to act, but neglected to inform Colonel Brereton, his superior officer, of the information he had received.

The second charge imputed, that the following letter from Mr. Charles Pinney, the mayor, to Colonel Brereton, was delivered to Captain Warrington, which he read, but neither acted upon it nor forwarded it to his commanding officer.

"Bristol, Three o'clock Monday Morning, 31st October 1831.

"SIR—I direct you, as commanding officer of his Majesty's troops, to take the most vigorous, effective, and decisive measures in your power to quell the existing riot, and prevent further destruction of property.

"I am, &c. C. PINNEY."

Digitized by Google

An hour elapsed with the troops inactive after the letter was delivered, and in consequence great mischief was done. Several houses were sacked, and property to a large amount destroyed.

The third charge accused the Captain of neglecting to command his troops in person, and leaving them to the guidance of a young cornet, only sixteen months in the service, while he was absent from his quarters or retired to bed.

The evidence adduced was merely a repetition of those details which had already become perfectly notorious.

Captain Warrington commenced his defence on Monday the 30th of January, and, in a clear and manly speech, touched upon all the charges which had been preferred against him, and in a short narrative endeavoured to prove that when there was any apparent want of energy, or exertion, on his part, it arose, not from want of inclination in him, but from the omission of orders from his superior officer, or the absence of those magistrates who would have justified his proceeding even without the commands of Colonel Brereton. With regard to his temporary absence from his troop, he accounted for it by stating, that he had gone to General Pearson to ask his advice, and, on his return, was labouring under a fit of the ague, brought on from being repeatedly exposed to the rain, for the two preceding days; he retired to change his dress, and when his personal presence was officially and regularly required, he lost no time in heading his troop, and assisting in dispersing the rioters. He adverted to his past services under similar circumstances, and appealed to these, as well as to his conduct throughout his military career, as the best refutation of his having intentionally neglected the important duties imposed upon him. The address seemed to make a deep impression, and apparently went to remove all serious imputation from him as an officer and a gentleman. The witnesses called for the defence went to give the most satisfactory explanation of the course which the gallant officer had pursued throughout.—The following curious evidence was given by Major Beckwith, of the 14th Dragoons, on Tuesday:—"I must relate in what manner I saw the civil and military authorities co-operating, in order to show to the court the difficulties under which I saw Captain Warrington acting. On reaching Bristol, on Monday morning the 31st of October, I immediately went to the Council-house, where I found the mayor and several magistrates, who appeared to me bewildered and stupefied with terror. On hearing the state of affairs in the city of Bristol from those gentlemen, I urged that one or more magistrates should accompany me on horseback, for the purpose of restoring order. They all refused to accompany me, saying, it would make them unpopular, and cause all their property to be destroyed; they also added, that none of them could ride on horseback; and the one I requested to accompany me said he had not been on horseback for eighteen years. Seeing, therefore, that any assistance from the magistrates would be out of the question, I demanded to receive from them a written authority to take what measures I deemed expedient. From what I have related, and from what I saw in another quarter, to which I cannot refer, the impression of my mind was, that Captain Warrington and the 3rd Dragoon Guards were in a great measure paralysed by the imbecility and misconduct of those who ought to have directed them. I have further to state, that during the time I had a personal opportunity of observing Captain

Digitized by Google

Warrington, he appeared to me alert, zealous, and desirous of doing his duty."

On the following Thursday, General D'Albiac replied to the defence of Captain Warrington; and this closed the case.

The decision of the court was not, however, promulgated, in obedience to the usual course, until it had first been submitted to his Majesty; but on the 21st of February, it was intimated to Captain Warrington that he had been found guilty, and was sentenced to be cashiered; but that he was recommended to mercy, and that his Majesty, having listened to the recommendation, had been pleased to authorise his disposing of his commission.

There were yet other persons in authority whose conduct upon this occasion it was deemed fit should be the subject of a judicial investigation. Reports unfavourable to the character and demeanour of the magistracy of Bristol had been circulated; and the necessity of allaying the irritation of the public mind, as well as of determining the real extent of blame to be attached to the mayor and aldermen, was felt too strongly to admit of this final inquisition being omitted. It was not, however, until Thursday the 25th of October 1832, that the case came on for trial. It was then brought before the Court of King's Bench, upon an information preferred against Mr. Charles Pinney, the mayor, and was decided by a special jury selected from the County of Berks.

The Attorney-General proceeded to state the facts to the jury, and said, he had no doubt he should be able to adduce evidence to prove that the defendant had neglected his duty as chief magistrate, and that he was guilty of the misdemeanour charged in the information.

Mr. John W. Newcombe was the first witness examined. After detailing the scenes already described, and the inertness of the police, in his cross-examination he said that he did say, on being applied to, to act as special constable to protect Sir Charles Wetherell, he would not do so, but said he would not injure him; and he had repeatedly said since, that it would have been better had Sir Charles been thrown over the bridge than that so many lives and so much property should have been destroyed. A similar feeling seemed to exist with many others, who had been applied to in a similar manner, and it was evident that the magistrates found great difficulty to get a sufficient number of persons to act on that occasion. Several other witnesses were examined, making out a strong case against the defendant. A good deal of amusement was excited in court by the description given by one of the witnesses of the escape of the mayor from the Mansion-house, during the heat of the attack. The witness said, in his examination, "I saw the mayor in the larder, on the ground-floor. I believe it is called the larder: it is the men's water-closet as well, but they hang up meat there (a laugh). There were three or four female servants with his worship (renewed laughter). They were making great efforts to get up on the leads—the female servants and his worship (a laugh). His worship, seeing me, said, 'For God's sake, young man, assist me up.' I stooped down and helped his worship up, the female servants assisting him behind. (Here the laughter became so loud that Lord Tenterden found it necessary to censure it in strong terms as foolish and indecent.) We got the mayor up on the leads, myself and the female servants, and he got away over the wall."

Digitized by Google

Temple of the Muses of Bridal

1820

Published by Thomas Tegg, Cheapside

Digitized by Google

Digitized by Google

The inquiry continued until the following Thursday, and then terminated by a verdict of acquittal.

This, we believe was the last of the proceedings which arose out of these dreadful riots, if we except those which were carried on by those persons whose property had suffered damage through the violence of the mob. The extent of the mischief done could never be properly or specifically calculated; but its amount could be scarcely computed at less than 300,000*l.* The injuries done to property, however, were not those only which were to be regretted. The destruction of the buildings of the town, splendid and costly as they were, was small in importance compared with the loss of human life, and the personal violence sustained by many of those who were engaged in these proceedings. Of those whose misguided or wicked desires led them into this terrible fray, who died of the wounds which they sustained, a number scarcely less than twenty was discovered; and it is reasonable to suppose, that others also shared a like unhappy fate, whose death accident, or the design of their friends, concealed from public notice. Many were taken to the hospitals of the city, gorged with drink, who died from the combined effects of intoxication and exposure, while others were brought in at the last gasp, suffering from the effects of the wounds inflicted by the weapons of the soldiery, or produced by the falling of buildings, which they had themselves fired or overthrown. Some even yet retained in their possession the fruits of their rapine, and were found to have their pockets crammed with money, or other valuables. Of the number who fell victims to their own temerity, in their anxiety to complete the hellish work of destruction which they had commenced, and who were smothered in the falling ruins of burning houses, it is impossible to form an accurate calculation. They were principally of the very lowest and most abandoned classes of the people; and their loss was scarcely discovered, even by their oldest companions and most intimate associates. The number of wounded was of course much larger, and equally difficult to be properly estimated. Many, it is true, received surgical relief on the spot; but still there were great numbers who abstained from an open admission of their condition, in order to avoid the probability of those future proceedings, the result of which might have been more inconvenient than the injuries which they had received. Hundreds in this way concealed the effects of their own violence; but their crippled or maimed appearance eventually told too plainly the tale of their guilt.

With regard to the conduct of the magistracy and the military upon this occasion, it does not become us to offer any observations. The demeanour of both was the subject of legal investigation; and the determination arrived at must be deemed to have been both correct and conclusive. The want of energy which, it must be admitted, was exhibited, must nevertheless be the subject of universal and most sincere and painful regret.

Digitized by Google

JONATHAN SMITHERS.

EXECUTED FOR ARSON AND MURDER.

On Monday morning, May the 28th, 1832, a fire broke out in the lower part of the house, No. 398, Oxford-street, in the occupation of Mr. Jonathan Smithers, a tobacconist, which was attended with very serious consequences. At about six o'clock the police ascertained the existence of a conflagration at the lower part of the house, by the sudden issue of a large quantity of smoke and flame from the shop and house doors, and from the fan-light over the latter; and proceeding immediately to the spot, they found Mr. Smithers endeavouring to make his escape into the street by means of the area, communicating with the kitchen. All his efforts to gain the footway, and those of the people, who had in a few moments assembled, to force the railings of the area, however, proved unavailing, and Mr. Smithers was at length compelled to retire through the kitchen; and making his way up the stairs, which were on fire, he succeeded in reaching the shop, from which he rushed into the street, much burnt about his face and hands, and with his clothes on fire in many places. The sudden admission of air to the house through the shop door tended to increase the fury of the flames; and before any alarm could be conveyed to the inmates, who were asleep within, nearly the whole of the lower part of the premises was on fire. Mr. Smithers was immediately conveyed to the Middlesex Hospital, in order that the wounds which he received might be dressed; and almost before he had quitted the spot, the lodgers and other remaining occupants of the house had been made acquainted with their dangerous situation. Their first impulse was to escape by the stairs; but this they found to be utterly impracticable; and the scene which soon presented itself to the by-standers in the street was of the most heart-rending description. At almost every window were to be seen persons, male and female, bewailing their dreadful situation, and imploring aid with uplifted hands. The servant-girl at the third-floor window made signs that she would throw herself into the street, but was entreated to endeavour to descend to a lower floor, before she made so hazardous an attempt to save her life. The cries which were addressed to her prevailed, and she soon appeared at the second-floor front room, having experienced considerable difficulty in making her way down the staircase. Several men then ranged themselves under the window to catch her in her descent; and the girl, exerting her courage, presently found strength of mind to throw herself out, and alighted safely in the arms of one of those below. The man was knocked down, and considerably hurt, but the girl walked away comparatively uninjured.

But the worst part of our narrative is yet to be related. The second floor of the house was occupied by an elderly lady, named Twamley, and her family, consisting of two daughters, Eliza and Caroline, an orphan boy about eleven years of age, named Farengo, the nephew of the young ladies, and a Miss Thomasin, their niece. When this family became sensible of their danger, all hopes of escaping by the staircase had vanished, and they ran from window to window in a state of mind bordering on distraction.

Digitized by Google

Miss Eliza Twamley held the boy in her arms, and appeared more alarmed for his safety than her own. Terror-stricken, she remained at the window, unable to adopt any decisive course, until at length the flames caught what clothes she had on. The boy seized hold of the window, but was precipitated to the ground on his head—his aunt at the same moment appeared to be suffocated by the smoke, and fell back immediately under the window, a prey to the flames. Mrs. Twamley, it appears, was seventy years of age, and was in the last stage of chronic asthma,—unable to get out of bed. Her daughter Caroline heroically endeavoured to save her from the impending danger: seizing her in her arms, with strength increased by the frightful nature of her position, she raised her from the bed, and bore her through the window to some leads at the rear of the house, from which she hoped to be able to escape, or at which she thought they might remain until the flames should be extinguished. Her position was seen by some of the neighbours living at the back; and they called to her to beware of an abyss which lay in her path, and which separated the leads of Smithers' house from others at the rear of some other premises, and that they would rescue her from her perilous situation. A ladder was procured, and raised against the place where she stood; but before efficient aid could be rendered her, overcome by fright, she dropped to the leads below, with her mother in her arms. The distance which they fell was from twelve to fourteen feet; and both ladies were materially injured. Mrs. Twamley was immediately conveyed to a place of safety, where medical aid was procured; but death put an end to her sufferings after a period of two hours. Miss Twamley also received such medical assistance as her injuries required.

The other inmates of the house, whose escape we have not mentioned, were Miss Thomasin, M. Guissamere, a Frenchman, a Mr. Davis, and Mrs. Smithers; all of whom succeeded in quitting the house by the back premises. The engines, during the time occupied by these occurrences, had reached the spot, and instantly playing upon the burning house, succeeded in extinguishing the flame, and preventing them from extending to the adjoining premises, but not until they had completely destroyed the house in which they had originated, and every article of furniture and stock which it contained. Immediate search was then made for the remains of Miss E. Twamley; and they were discovered at the very spot at which she had been seen to fall, presenting a dreadful and melancholy spectacle. The arms and feet were entirely burned off, and the intestines protruded from the body, through some wound which had been caused by the falling upon her of some rafters. Her remains were immediately wrapped in blankets, and conveyed to the workhouse.

On the following day, Tuesday, a coroner's inquest was held on the body of Miss Twamley; and in the course of the inquiry disclosures of a most painful nature were made, tending to show that the house had been wilfully set on fire, and that means had been adopted to secure this object of a nature which left no doubt of the intention of the incendiary; and, further, that Mr. Smithers was the person to whom suspicion of guilt of this diabolical act attached. The main points upon which this suspicion rested were these:—It appeared from the statements of the various witnesses, that Mr. and Mrs. Smithers had lived for some time upon bad terms, and that frequent quarrels had taken place between them upon the

Digitized by Google

subject of some property belonging to the latter, and of which the former desired to possess himself. On the night of Sunday, the 27th of May, Mr. Davis, the lodger, was let in by Smithers himself at about twelve o'clock, and he went down to the water-closet, which was situated at the bottom of the kitchen stairs. He observed a quantity of shavings about the stairs, and saw that his landlord was engaged in doing something with the shavings, the precise nature of which he appeared anxious to conceal. The servant had gone to bed early; and, contrary to custom, she had been directed to occupy an upper room on the third floor, instead of her usual apartment (the kitchen), and her master and mistress had their bed prepared in the back parlour. Smithers, about ten days before the fire, had purchased two sacks full of shavings; and these had been deposited, apparently with some object, in a vaulted cellar at the back of the house, with a quantity of old baskets and boxes, and other rubbish of the same description. On the day after the fire, a minute examination of the premises was made by Mr. Abrahams, a surveyor; and the discoveries which he made at once proved the fire to have been intentionally caused. He ascertained that the conflagration had originated at the bottom of the kitchen stairs, immediately in front of the water-closet, where the remains of burned shavings were distinctly perceptible. In the back vaults, adjoining the kitchen, there were even stronger proofs. A species of devil, formed of gunpowder pressed into a card, was found, communicating by a train to a heap of shavings at one end, and to a mass of easily ignitable rubbish at the other. Fire had been communicated to the shavings, which were placed upon a wooden shelf or dresser; but, in consequence of the interposition of a piece of greased paper which had been placed among them—apparently with a view of increasing the volume of flame, but which, in truth, had had the effect of extinguishing it altogether—the train of powder was not ignited, and the whole remained, affording distinct evidence of the act of incendiarism.

These, with other corroborating circumstances, were deemed of so suspicious a nature, that a verdict of wilful murder was returned by the coroner's jury, in the case of Miss Twamley, against Mr. Smithers, who was still in the hospital, and a warrant for his apprehension was issued.

At an inquest held on the body of Mrs. Twamley, a verdict was returned that she had died from fright; but the poor boy Farengo subsequently also died from the injuries which he had received; and in this case also a verdict of wilful murder was returned.

On Tuesday, the 12th of June, Smithers was removed to Newgate to await his trial upon the charge upon which he was already in custody, from Middlesex Hospital, where he had been confined by the injuries which he had received.

On Friday, the 6th of July, he was put upon his trial upon an indictment charging him with the murder of Miss Eliza Twamley, and of the boy Charles Richard Napoleon Farengo. The facts which had been disclosed before the coroner were again proved in evidence; and, after a lengthy inquiry, a verdict of "Guilty" was returned at two o'clock in the morning. Sentence of death was immediately pronounced upon the wretched man, and he was ordered for execution on the following Monday.

Upon his being conveyed to his cell after his conviction, he was re-

Digitized by Google

peatedly urged to confess the justice of the result of the trial, but he steadily persevered in avoiding giving any direct answer to the question; and although he never asserted his innocence of the crime, he could not be prevailed upon to make a confession. His demeanour throughout the trying scene of his receiving sentence, and from that time up to the period of his execution, was remarkable for the extreme coolness which it displayed. On Sunday his wife had her last interview with him, and although their meeting was of an affecting nature, the feelings of neither party appeared to be so much worked upon as is common upon such occasions. The wretched man conversed with her freely, and declared that from his boyhood he had always thought that he should die upon the scaffold. He had conceived the idea while playing with other boys in a churchyard, and it had never forsaken him.

His wife left him at an early hour, and he employed the remainder of his time in religious exercises and conversations with the ordinary. Before he retired to rest, he wrote a short letter to his wife; he appeared now deeply affected, but when it was concluded he became more composed, and declared himself to be quite comfortable. He took a great deal of rest during the night, but rose at an early hour to be ready to receive the attendant minister. At a few minutes before eight o'clock he was conducted to the press-room to be pinioned. His demeanour in the course of this trying scene was wild and hysterical; but as his last moments approached, he prayed with much composure. At eight o'clock he was carried to the scaffold, and there expiated his crimes.

Smithers, it appears, had carried on business for a considerable period in the shop in Oxford-street. He was insured for nearly 700*l.*, which may in some degree account for his being guilty of the diabolical crime of which he was convicted. Miss Twamley, the victim of his foul machinations, had been a dancer at Covent Garden Theatre, and was a fine young woman. Her nephew, who was also killed, was the son of a deceased married sister. Miss Caroline Twamley was visited during a long illness, which succeeded the dreadful events which we have detailed, by many persons of distinction, who took a kind and generous interest in her welfare.

The prosecution of Smithers was carried on at the expense of the parish of St. Ann, Westminster. His execution took place on Monday, the 9th of July 1832.

JAMES COOK.

EXECUTED FOR THE MURDER OF MR. PAAS.

This diabolical murder of which Cook was guilty, attracted a very considerable portion of the public attention.

Mr. Paas, it appears, was a respectable tradesman carrying on a business at No. 44, High Holborn, London, as a manufacturer of such brass instruments as are used by bookbinders. Cook, his murderer, was a bookbinder at Leicester. Mr. Paas was in the habit of taking occasional journeys in the way of business, and in the course of his travels Cook became his customer, and ordered goods of him to the extent of about 25*l.* Cook at this

Digitized by Google

time was twenty-one years of age, and he had only recently entered upon the business of his deceased master in a small yard leading out of Wellington-street, Leicester, upon his own account. In the month of May 1832, the usual period of credit had expired, and Mr. Paas wrote to Cook saying, that he should visit Leicester in a few days, when he hoped to receive the amount of his bill. On Wednesday, May the 30th, Mr. Paas accordingly arrived in Leicester, and put up at the Stag and Pheasant Inn. In the afternoon he quitted that house, and proceeded upon his rounds for the purpose of collecting the accounts due to him in the town. He called at several places, and amongst others at the house of Cook; but after leaving there, he was seen by one of his customers, of whom he made inquiries as to Cook's solvency, and whom he informed that he had already called upon him to pay an account, and that he had been requested to call again in the evening. Mr. Paas was not seen alive again after this; and the result showed that he had been wilfully and most diabolically murdered by his customer and debtor.

The only proof by which the unfortunate gentleman was traced to the workshop of Cook was that of his apprentice boy, Charles Wilkinson, aged fourteen years. He was at the shop of his master on the afternoon of Wednesday, and he saw a person come there, whose appearance, from his description, agreed with that of Mr. Paas. Immediately on his being seen by his master, he told him (Wilkinson) that he might go away and remain at home until he called for him—a circumstance quite unusual, and rendered the more remarkable from the great quantity of work which his master then had to do.

The circumstances attending the discovery of the murder, and the consequent apprehension of Cook, are of an extraordinary and interesting nature. The workshop which he occupied, it appears, was situated over a cow-house in the occupation of a Mr. Sawbridge, a milkman. On the evening of Wednesday, the 30th of May, a very large fire was observed to be blazing in his workshop; but as considerable heat was known to be occasionally necessary to be employed in his trade, no notice was taken of the occurrence. At about eight o'clock Cook visited the Flying Horse, a beer-shop in the immediate neighbourhood of his workroom, and having called for some drink, and played a game of skittles with an undisturbed aspect, he requested change of a sovereign. The landlord, Mr. Nokes, produced the coin necessary, and Cook on giving him the sovereign took from his pocket a silk purse containing money to a very considerable amount in gold, silver, and notes. This excited some surprise, but no remark was made, and Cook went away returning apparently to his workshop. After a short time, however, he went to Mrs. Sawbridge, and told her that he should work during the night in order to finish some articles which he had in hand, and desired her therefore not to be frightened if she should see that he had a fire. At half-past ten o'clock he returned to his workshop, being let in by Sawbridge; and from that hour until half-past four o'clock on the next morning nothing was seen of him, although it was evident that he remained in his room, as he was unable to quit the premises without the knowledge of his landlord. A strong light was observed in his workshop, and he was heard occasionally moving about, both in the house and in the yard; but although his father went to look for him and to inquire into the cause of his unexpected absence from home during the night, he made no answer.

Digitized by Google

At half-past four o'clock Sawbridge rose for the purpose of milking his cows. He found his tenant still in his workshop, attired in his usual working clothes, and apparently employed at his trade of bookbinding. Cook inquired whether he was going to milk his cows, and he answered that he was, at a place called Stoney-gate House, about four miles off on the London road. Cook declared that he felt faint and sick after sitting up all night, and that he should like a walk to refresh himself; and having locked his room, he walked away to the fields in company with his landlord and a man named Sumpter, who joined them. They talked upon indifferent subjects, and Cook employed himself in keeping the cows together, while Sawbridge milked them in succession; and then they walked back to Wellington-street, the former re-entering his own workshop, while the latter proceeded to his ordinary occupation of carrying out the milk.

On Thursday evening the murder was discovered. At about ten o'clock the appearance of an unusual degree of light in the workshop of Cook attracted observation, and the neighbours having assembled, fears were expressed that the premises had caught fire. The window-blinds were down, and from without no distinct information could be obtained of the existence or non-existence of any conflagration, and an entrance to the building was in consequence determined on. Mr. Timson, a broker residing within two doors, was the person by whom the performance of this work was undertaken, and reaching the top of the stairs leading to Cook's workshop, he burst open the door, and immediately entered that apartment. He found that the fire which had been kindled in the grate was extended far beyond its usual bounds, and a large piece of flesh was on the top of it burning. The flesh was taken off and put on the floor, and then the fire was raked out and extinguished. Many persons had by this time reached the spot, and great curiosity was expressed to know the nature of the flesh which had been found, as well as the reason for consuming it. Many declared their impression that it was horse-flesh; but Cook was sent for, in order that he might explain the mysterious and suspicious circumstances attending its discovery. He was found at his father's house undressed, and apparently about to retire to rest; but on his being informed of the nature of the inquiry which was proceeding, he immediately dressed himself, and accompanied the messenger who had been despatched in search of him to Wellington-street. On his way thither, he asked with great anxiety whether the flesh which had been found was scorched all over; and being answered in the negative, he exhibited much agitation. He, however, afterwards learned the nature of the supposition of its discoverers of its being horse-flesh, and appeared more easy. On his reaching Wellington-street he was questioned upon the subject of the flesh, and his answers showed the facility with which he was able to coin plausible excuses for the act of which he had been guilty. He declared that the flesh was horse-flesh, and that he had bought it for the purpose of feeding a dog, for the purchase of which he had been bargaining; but he added, that the owner of the dog having refused to allow him to become its purchaser, and the meat having become partially putrescent, he had determined to burn it to get rid of it. He was told that he had nearly set the house on fire in his exertions; when his answer was, "Well, it 's all out now, so let us lock the door and go." In answer to further inquiries, he said, that he had purchased the flesh of a man, whose name he did not know, in the Humberstone-gate. The circum-

Digitized by Google

stances which had been ascertained, however, aided by the discovery of an attempt on the part of Cook to conceal his proceedings in his workshop by pasting thick paper over his windows, tended to attach considerable suspicion to his conduct in the transaction, and Measures, a constable, having arrived on the spot, he deemed it to be his duty to take him into custody. An undefinable terror appeared to pervade the minds of all upon the subject of the flesh which had been found, but none could fix any idea even in their own minds as to the real nature of the occurrence which excited at once their alarm and suspicion. The flesh was taken by Measures to his own house for better security, and his prisoner was conveyed by him at once to the mayor's office. Here, however, a difficulty presented itself. The mayor could not be found, and the constable was driven to act upon his own authority and responsibility. From his acquaintance with Cook he knew him to be a person to whom a good general character attached, and he was unwilling upon suspicions so vague as those which were entertained to lock him up all night. He, therefore, informed him, that if he could procure good bail for his appearance on the next day, to answer any charge which might be preferred, he would liberate him; and his father having become responsible for his re-production when he should be required, he was at once discharged out of custody.

On the following day he was sent for by the mayor, with a view to his examination upon the subject of the discoveries of the preceding night, but he had absconded.

The suspicions already entertained were now still further excited, and a surgical examination of the piece of flesh was determined upon. Its result was the expression of the belief of Messrs. Denton, and others, surgeons, that it was part of a human body!

Instant minute inquiries were set on foot with a view to its being ascertained whether any person was missing from the town; and the non-return of Mr. Paas to his inn at once led to a belief that he had fallen a victim to the barbarous machinations of Cook, and that he had been murdered, and his remains thus mutilated and consumed. A universal sensation of horror was created as this idea gained ground, and evidence confirming the general impression was soon obtained upon an examination of the premises of the supposed murderer. In the chimney of his workshop was found all that remained unburnt or unscorched of the body of the unfortunate Mr. Paas. Two thighs and a leg, separated from each other and from the main trunk of the body apparently with great determination by a knife and a saw, were found suspended from a nail by a cord, in the chimney, about a yard and a half above the fireplace, evidently awaiting only the favourable opportunity when they too might be consumed, and so all trace of the murder be destroyed. In the room were also discovered the leg of a pair of black trousers, covered with blood, together with a snuff-box, an eye-glass, a pencil-case, with the letter "P" engraved on it, and some fragments of cloth, much stained with blood. Among the ashes were found the horrible remains of the deceased, in the shape of calcined bones; but there was also discovered a gaiter, of a description known to have been worn by Mr. Paas. The floor of the room had evidently been recently scraped and scoured; but evident marks of some dark fluid having flown over it were still visible. Other evidence, presented by the discoveries in this room, pointed out the mode of the death of the deceased, and the method in which his body had

Digitized by Google

been cut in pieces, in order the more readily to be burned. On the table was seen a bill, in the name of Mr. Paas, on Cook for 12*s.*; and at the foot of this instrument was the word "settled," followed by the two letters "J. P." It had been the habit of Mr. Paas invariably to sign his name in full to such receipts, and in this instance it appeared as if he had not intended to depart from his custom, but that having reached the completion of the letter P, he had received a severe blow, by which the pen in his hand had been driven in a direction across the preceding letter "J," a deep and heavily pressed ink-mark being perceptible on the paper, as if such had been the case. The instrument of attack was discovered, in a heavy species of hammer used by bookbinders in their trade.

A new and minute examination of the fireplace proved that the murderer had not so far succeeded in his object of destroying the body of his victim as was at first supposed. A mis-shapen and most unsightly mass of matter, which no one would have supposed, upon an ordinary inspection, could ever have formed any portion of the human frame, was found among the cinders; and upon its being submitted to the scrutiny of surgeons, it was declared by them to be the lower part of the abdomen, and a part of the thighs of the human body; but all was dreadfully disfigured by the action of the fire, and it was evident that large collops of flesh had been cut from it, with a view apparently to its more speedy destruction and disfigurement. The fireplace was found to have been in some degree enlarged by the removal of one or two bricks; and across the top of it were to be seen two bars of iron, placed there so as to serve as a gridiron, on which the flesh might be placed in its progress of consumption. No trace of the trunk of the body or the head of the deceased, however, could be found, and it became the general impression that these had been removed, and had been buried somewhere in the outskirts of the town.

These new discoveries at once fixed the identity of the deceased, and the fact of his having been murdered, with intelligence of the melancholy occurrence, was immediately conveyed to the friends of the unhappy gentleman, in London, together with an intimation of the flight of the murderer. The feelings excited by such a communication to Mrs. Paas and her family were of a nature to be more easily imagined than described; but the firm of Barker, Denton, and Choffin, attorneys of Gray's Inn, was at once called upon to take the necessary steps to secure the apprehension and conviction of Cook. Mr. Barker, in consequence, applied immediately at Bow-street for the assistance of the metropolitan police-officers, and a warrant was at once issued, and placed in the hands of an officer for execution. A reward of 100*l.* was also offered for the apprehension of Cook, and every step was taken by which it could be hoped to bring him to justice.

On Sunday the 3rd of June, an inquest was held upon the remains of deceased, at the Dog and Gun, in the Market-street, Leicester. The facts which we have detailed were then proved in evidence, and the additional testimony of a person named George Cooke, living at Loughborough, and occasionally driving the coach between that place and Manchester, was obtained, which tended to confirm the suspicions entertained against Cook, and at the same time to exhibit the line which he had taken in his endeavours to escape from the pursuing hand of justice. Cooke stated that on the previous Friday morning, at a quarter after five o'clock, he was in the

Digitized by Google

stable-yard of the Black Horse Inn, at Loughborough, when he saw a person who was a stranger (but who was now known to be Cook, from the description given of his appearance) conversing with the stable-boy. He appeared dirty, as if he had been up all night and in the roads; but as it was fair-time, he concluded that he had been larking, and did not take much notice of the circumstance. The witness joined in the conversation, and presently the stranger produced a small broach from his shirt-front, which he said he had picked up. He expressed a wish to sell it, and the witness finally bought it for two shillings. The man afterwards produced a silver watch, with a gold chain and seals, which he said his father had purchased for him for 40*l.*; and then he declared his desire to procure change for a 5*l.* or a 10*l.* note. He brought a green silk purse from his pocket, and took a note of each denomination from a number of papers which it contained, and at the same time exhibited a large sum of money in gold. The witness endeavoured to procure change for him, but could not, and left him. He subsequently learned that the man had gone on by coach and railroad to Liverpool. The brooch was produced by the witness, and it was instantly recognised by several friends of the deceased gentleman to be one which he had constantly worn, and which he had received as a mourning token upon the death of a friend named Mancell.

Upon this testimony the jury returned a verdict, that the remains which had been discovered were those of Mr. Paas, and that he had been wilfully murdered by James Cook.

A few days sufficed to bring this atrocious malefactor to justice. Cummins, an officer of Leicester, had started in pursuit of him, and he succeeded in apprehending him on Tuesday on the point of joining a vessel just sailing from Liverpool for America. It had been ascertained by this active officer, that the object of his search had made for Liverpool; and he entertained little doubt that his intention was to reach one of the vessels which was then about to sail for America, after their quitting the harbour. For the purpose of more easily watching the anticipated movements of his prey, he and his assistant stationed themselves on the Chester side of the river Mersey, and, with a boat and crew always ready, remained anxiously awaiting the anticipated necessity for exertion. A constant look-out enabled them to criticise the appearance of every boat which put out, and their watch did not extend to a very long one. To the disgrace of the watermen of Liverpool, there were to be found among them men who, for adequate remuneration, were always ready and willing to succour those who were flying from punishment—no matter what their crimes might be—by carrying them off to the ships which should be lying in the channel, outward-bound. Cook had succeeded in procuring the aid of a crew of these men, and, at an early hour on Tuesday morning, the 5th of June, he put off from the shore. The movements of the party did not escape the vigilant observation of Cummins and his well-experienced assistants, and their object soon became apparent. They were allowed to get well out to sea, however, before any effort was made to pursue them; but then Cummins, with his active crew, immediately started in pursuit. They gained rapidly on the small boat in which the object of their search was; but he, finding himself in danger of being secured, at once ordered his men to make for the shore. They had already reached the shallow water, when

Digitized by Google

the pursuing boat came close astern. Cook, who appeared frantic with desperation, jumped overboard, with an intention to drown himself; but the water was too shallow for his purpose, and finding himself disappointed in this object, he drew a phial from his pocket, the contents of which he was about to drink, when, however, his hand was seized by Cummins, and so forcibly compressed that the bottle was broken, and its liquid contents, whatever they may have been, lost in the sea. The wretched man was now secured by the officers and conveyed to Liverpool, and he there immediately underwent an examination before the magistrates of that city. The nature of the charge was stated, and his identity having been proved, he was at once ordered to be conveyed to Leicester.

At his own request, he was allowed to remain at the Bridewell that night; but on the following morning he was carried back to the scene of his diabolical crime by coach, in custody of five constables. On his way he exhibited the utmost levity, and frequently laughed at the people who came out of their houses to catch a glimpse of him as he passed by. He ate and drank heartily, and requested, at almost every stoppage, to be supplied with brandy-and-water and cigars—a demand which was complied with. The coach did not arrive at Leicester until near ten o'clock; but the streets were, even at that hour, crowded with persons looking for his coming. He was safely lodged in jail, without any disturbance taking place.

From the moment of his apprehension he made no attempt to deny that Mr. Paas had fallen by his hands; but he sought to palliate his offence by asserting that that gentleman had attacked him first with one of the implements of his trade, in consequence of his refusal to pay him a bill which he owed him. He declared that he paid him the twelve shillings on his first visit, and denied most positively that he had any previous intention to commit the murder.

At a meeting of the borough magistrates of Leicester, at the town-jail, on Thursday afternoon, Cook was brought before them for the purpose of affording him an opportunity of making any disclosure or explanation he might see fit.

Mr. Burbidge, the town-clerk, addressed him, and said that he was not bound to say anything to criminate himself.

The prisoner, after a short pause, replied in substance and words nearly as follows:—"I am innocent of wilful murder, and my conscience is not burdened in the manner that you gentlemen seem to suppose. Mr. Paas called on me in the morning, but what morning I cannot exactly say, my agitation of mind has been so great ever since. I paid him a bill of twelve shillings. There were two bills due. The other was for a larger sum. Mr. Paas wrote "Settled" on the twelve-shillings bill, and I told him I would strive to pay part of the other if he called again in the evening. Mr. Paas did call in the evening, but I was not able to give him anything. He was angry, and I was angry; disagreeable words took place, and a scuffle ensued, and in this manner I was brought to this shameful and disgraceful end."

Mr. Burbidge said they had reason to suppose that the upper part of the body had been moved from the premises, and probably buried, and they understood he had admitted as much to one of the constables. The prisoner, after hesitating a short time, said he would consider of it. In addition to the above, the prisoner had previously told the constables that,

Digitized by Google

during the scuffle, Mr. Paas had thrown the great hammer at his head, and that it struck his shoulder, and that in the heat of the moment he snatched up the press-pin (a strong iron bar), and hit him with it on the back of the neck, and he fell dead instantly.

On Friday morning the prisoner was visited in his cell by Mr. Burbidge, accompanied by the governor of the jail and his son. He was found reading and extracting from one of the many religious books with which he had been supplied. Mr. Burbidge asked him whether he was willing to tell what he had done with the trunk of the body. The prisoner replied, "I know I shall suffer, and as there is a just God, I burnt the whole of it; but how I did it, I can hardly tell."

Mr. Burbidge asked when he burned it? He replied, "In the course of Wednesday night." Mr. Burbidge then asked how he did it; and he said that he cut it up into fragments, and so placed them on the fire. Mr. Burbidge told him that he had been informed by surgeons that it would be impossible for him to destroy the lungs by any ordinary fire. The prisoner, in a composed but melancholy tone, replied, "Ah, sir, they never tried the experiment." Mr. Burbidge next observed, that he was given to understand that it was impossible to destroy the intestines by fire, without their causing a stench that would be smelt all round the neighbourhood. The prisoner, in answer, said, "I know nothing about that, sir; it was a very stormy night, and a great deal of rain fell—perhaps that may account for it." Mr. Burbidge asked, if his story were true, how he could explain the circumstance of no remains of the bones of the skull or trunk being found? The prisoner replied, that they were all burned so that he could crush them with his foot easily. He added, placing the fingers of his right hand upon the palm of his left, "I could mash them thus."

Mr. Burbidge asked how he could think of such a horrible mode of disposing of the body? The prisoner answered, "What was I to do with it, sir? the dreadful deed had been committed: I must get rid of it some way, and I had no other mode of disposing of it." Mr. Burbidge observed to him, that if he had cut up the body as he had stated, a great flow of blood must have taken place, and yet there were very few marks of blood on the floor: how did he account for that? In answer, the prisoner said he had first strewn the floor thickly with hay and straw, which he afterwards collected and burned.

This gives the substance of the various statements made by the prisoner, although he was repeatedly questioned upon the subject of the murder; and, on the 9th of June, he was committed to take his trial.

The remains of Mr. Paas having been conveyed to his late residence in Holborn, they were, on the 11th of June, carried to their last resting-place, followed by a host of mourning friends.

During the subsequent imprisonment of Cook in Leicester jail, preparatory to his trial, every means was adopted in order to procure from him some further confirmation or contradiction of the statement which he had made with respect to the disposal of the head and body of Mr. Paas, the recovery of which, if they had not been really destroyed, would naturally have afforded considerable satisfaction to the friends of the deceased. All the efforts which were used, however, failed; and the prisoner contented himself with persisting in the truth of the story which he had already told. He answered all inquiries with the greatest composure, and appeared fully

Digitized by Google

aware that his fate in this world was sealed. With regard to the money which he had taken from Mr. Paas, he asserted that it amounted only to between 50*l.* and 60*l.*, 30*l.* of which was in notes, while the remainder of the amount was in sovereigns.

On Wednesday, August the 7th, the prisoner was put upon his trial at the Leicester assizes, charged with the wilful murder of his victim. The indictment alleged the murder to have been committed in various ways, in order to meet all the circumstances of the case.

The prisoner, on being called upon to plead, confessed himself guilty of the offence imputed to him. He declared that he was fully acquainted with the effect of his plea, and declined to withdraw it.

Sentence of death was then immediately pronounced by the presiding judge; and in order that the heinous nature of the crime of the prisoner should be more especially marked, he ordered that his body should be gibbeted in chains after his execution.

On the following Friday, 10th of August, the first part of the sentence was carried into effect, the convict being hanged in front of the jail at Leicester. His demeanour subsequent to his trial was in nowise altered, but partook of the same degree of calmness for which it had been previously remarkable. At his execution he was respectably attired in a black coat and waistcoat, and white duck trowsers. He betrayed but slight symptoms of emotion, and met his fate with becoming resignation.

Previously to his execution he made a confession of the circumstances of the murder more in detail than those which he had previously delivered. He said that he had had the murder in contemplation for a week before its commission; and that the visit of Mr. Paas to his workshop on the fatal 30th of May, was deemed by him to present a favourable opportunity for completing his sanguinary design. When Mr. Paas entered his shop on the evening of that day, he shut the door, and he then paid him the amount of a small bill in which he was indebted to him. Mr. Paas had receipted the bill, and, having risen from his seat at the table, was examining the binding of a book which lay on the press, when he conceived that the favourable moment had arrived. Taking up the press-pin (a heavy iron instrument), he walked behind his victim, and struck him a tremendous blow on the back of his head. The unfortunate gentleman raised his hands to his head, and staggering towards the door, cried out, "Murder" as loud as his voice, enfeebled by the attack which had been made on him, would allow; but his assailant, now terror-struck, followed up the blow which he had already dealt with others of equal severity on the top of his head. The third stroke was sufficient; and the unfortunate victim of his crime fell heavily to the ground. Turning on his back, his arms were convulsed for a few moments, when they ceased to move, and "all was over." His murderer now retired from the room, and locked the door, but returned again at night to dispose of the body. On his entering the workshop he stumbled over his victim, and his nerves were dreadfully shaken by this circumstance; but speedily getting rid of his alarm, he commenced the work of cutting up the body, and recovered his usual firmness; and so completely was he restored, that he declared that he could have continued the horrible occupation in which he was engaged for a much longer time than he did, if he had deemed it necessary to do so. He then declared, as a dying man, that he had consumed by fire every par-

Digitized by Google

ticle of the body and clothes of the deceased gentleman, except those parts which had been found; and he stated that *pride* had driven him to commit the crime, and that he was desirous of procuring money, in order to embark for America. He alluded, with seeming horror, to a connexion which he had formed with a society of young men, who professed Deism, in Leicester, and at whose meetings the works of Tom Paine, Carlile, and others, were read; and emphatically added, "Until I got connected with these persons, attending as I did some place of religious worship three times every Sunday, I considered myself a moral young man; but my heart was changed by their example."

When the body of the convict had hung the usual time after his execution, it was cut down and conveyed back to the jail, in order that the necessary preparations might be made to carry out that portion of the sentence which directed his remains to be gibbeted in chains. The head was shaved and tarred, to preserve it from the action of the weather; and the cap in which he had suffered, was drawn over his face. On Saturday afternoon his body, attired as at the time of his execution, having been firmly fixed in the irons necessary to keep the limbs together, was carried to the place of its intended supension in Saffron-lane, not far from the Aylestone Toll-gate, a short distance out of the town of Leicester. A gallows, thirty-three feet in height, had been already erected; and the horrible burden which it was intended to bear was soon attached to it. On the following day, thousands of persons were attracted to the spot, to view this novel but most barbarous exhibition; and considerable annoyance was felt by persons residing in the neighbourhood of the dreadful scene. Representations were, in consequence, made to the authorities, and on the following Tuesday morning, instructions were received from the Home Office, directing the removal of the gibbet, and granting the remission of that portion of the sentence, by which this exposure, the remnant only of a barbarous age, was required. These orders were immediately obeyed; and the body was subsequently buried in Leicester.

WILLIAM JOBLING.

EXECUTED FOR MURDER.

At the Durham assizes, on Wednesday the 1st of August 1832, William Jobling was tried on an indictment charging him with the wilful murder of Mr. Fairles, a magistrate, on the previous 11th of June. Mr. Fairles, it appeared, had given offence to the colliers, from his spirited exertions to suppress their riotous proceedings. On the day in question he was returning from the Jarrow Colliery on his pony, when he was overtaken by the prisoner and a man named Armstrong, who, having first asked him for money, dragged him from his horse and beat him unmercifully with a bludgeon, and also pelted him with stones as he lay on the ground. Mr. Fairles was found in a state of insensibility, and, on his recovery, swore distinctly to the prisoner and Armstrong, as the persons by whom he had been attacked. He subsequently died of his wounds. The prisoner was secured at Shields; Armstrong escaped; the prisoner was found "Guilty," and received sentence to die on Friday—his body to be hung in chains.

Digitized by Google

J. Alling and Armstrong attacking W. Fairlie.

London, Published by Thomas Tegg, Cheapside

Digitized by Google

Digitized by Google

This sentence was carried out to its full extent, the body of the criminal being suspended to a gibbet in the neighbourhood of the scene of the murder.

This exhibition, however, gave great offence to the colliers; and after the remains of the unhappy wretch had been exposed for several weeks, they were, on Saturday the 8th of September, suddenly missed, having been removed during the previous night. The deceased had been a collier; and little doubt was entertained that his late companions and fellow-workmen had done this service to his memory: all subsequent efforts to discover the place of concealment of his body proved unavailing. But although undoubtedly its unauthorised removal was a serious breach of the law, there were few to be found who looked upon it as matter for regret, or who did not view the circumstance as a convincing proof of the impolicy of reviving a practice so barbarous as the exposure of the bodies of executed criminals.

The law by which this exposure was authorised was enacted by the statute 2 and 3 W. 4, c. 75, s. 16. That act provides, "Whereas an act was passed in the 9th year of the reign of his late majesty (9 Geo. 4, c. 31), for consolidating and amending the statutes in England relating to offences against the person, by which latter act it is enacted, that the body of every person convicted of murder shall, after execution, either be dissected or hung in chains, as to the court who tried the offender shall seem meet, and that the sentence to be pronounced by the court shall express that the body of the offender shall be dissected or hung in chains, whichsoever of the two the court shall order; Be it enacted, that so much of the said last recited act as authorises the court, if it shall see fit, to direct that the body of a person convicted shall, after execution, be dissected, be and the same is hereby repealed; and that, in every case of the conviction of any person for murder, the court before which such prisoner shall have been tried shall direct such prisoner either to be hung in chains or to be buried within the precincts of the prison in which such prisoner shall have been confined after conviction, as to such court shall seem meet; and that the sentence to be pronounced by the court shall express, that the body of such prisoner shall be hung in chains, or buried within the precincts of the prison, whichsoever of the two the court shall order."

The legislature appears to have duly estimated the extent of the disgust created by the two exhibitions which have been referred to of the remains of Cook and Joblings; and, by the 4 and 5 W. 4, c. 26, s. 1, the provisions of the statute last mentioned are repealed, so far as they relate to the hanging of criminals in chains. That act enacts (after reciting the provisions of the statutes of 9 Geo. 4, and 2 and 3 W. 4), "That so much of the said recited act, made and passed in the ninth year of the reign of Geo. 4, as authorised the court to direct that the body of a prisoner convicted of murder should, after execution, be hung in chains, and also so much of the said recited act, made and passed in the second and third year of the reign of W. 4 as provided, that in every case of the conviction of any prisoner for murder, the court should direct such prisoner to be hung in chains, should be and the same is hereby repealed."

Digitized by Google

DENNIS COLLINS.

CONVICTED OF HIGH TREASON, IN THROWING A STONE AT KING WILLIAM IV.

THIS extraordinary attack on the person of his majesty took place at Ascot Heath races, for many years the resort of the royal family. The assault, for in common parlance it amounted to no more, appears to have originated in nothing more than an insane desire on the part of the person who was guilty of it to vent his anger on the king for a supposed injury, inflicted on him in the forfeiture of a pension which had been granted to him for past services in the navy.

It was on Thursday, the 19th of June 1832, that this attack was made. His majesty, accompanied by his consort, had just reached the grand stand on the race-course, and had advanced to the front window to acknowledge the respectful greetings of his people, when two stones, thrown in quick succession after each other, were seen to fly in the direction of the window at which the royal party was stationed. The first stone rebounded from the building to the ground below, but the second entered the open window and struck his majesty a somewhat severe blow on the front of the head. An instant alarm was raised, and a thousand arms were extended to seize the individual by whom the attack was made, whose act was attributed to an intention far more dangerous than it eventually appeared the unfortunate man had had. His majesty was much agitated, and retired to the inner part of the room, apparently in alarm lest any further violence should be attempted, and was observed to express considerable fear lest her majesty, or any of the females of the suite, might receive injury; but in a few moments he regained his self-possession, and presented himself at the window to assure the public of his safety. His majesty had received a slight injury only, owing to the stone having fallen upon his hat; and the royal party appeared perfectly re-assured long before the alarm created in the minds of those present had subsided, and they had become convinced that the attack was not the subject of some deep laid and villanous plot.

The wretched author of the mischief, as we have already stated, had been immediately secured, and he was now carried before Sir F. A. Roe, the chief magistrate of Westminster, who was always in attendance upon his majesty upon such occasions, and who held a species of court in a room under the Grand Stand. Gardiner, the Bow-street officer, had the prisoner in charge, and conducted him to the presence of the magistrate. In a few moments the room where the examination was held was crowded with persons in attendance on his majesty, or attached to the royal suite, who were anxious to learn the particulars of this extraordinary act, as well as to ascertain the station and occupation of the assailant of the king.

The prisoner was found to be old and decrepit, with a wooden leg, and wearing the tattered garb of a sailor. He gave his name Dennis Collins, and surveyed the assembled throng with a calm composure, while, however, there appeared to be considerable incoherence in the expressions which he occasionally let fall, produced apparently indeed by the confusion in which he was involved, consequential upon the somewhat rough treatment which he had received from the mob before he had reached the custody of the police-officers. The circumstances which have been already

Digitized by Google

detailed were now proved in evidence; and witnesses were examined who had seen the prisoner on the race-course during the morning, and had remarked his demeanour. He appeared to be occupied in begging, but an angry resentment seemed to be exciting his mind. This had evidently reached its height at the moment of his attack upon his majesty; but his premeditation appeared to be exhibited beyond a doubt by his possession of the missiles which he threw, which must have been brought from a somewhat distant part of the ground.

The miserable old man was considerably below the middle height, and the general aspect which he presented was the reverse of pleasing, on account of the want of cleanliness of his person. His countenance was by no means ill-favoured, and a bright sparkling eye appeared to lend to it an expression of considerable intelligence. He made no statement before the magistrates, and was eventually committed to Reading jail for re-examination on the following Wednesday.

On that day the necessary witnesses to his crime were called, and their depositions formally taken, and the prisoner was then called upon for his defence. His address to the magistrates was highly characteristic of the old sailor, a station to which it appears the prisoner was entitled. He said, "I own myself in a great fault for throwing these stones at his Majesty. I was in Greenwich Hospital on the 16th of December last, as an in-pensioner. I had been there eighteen months. The ward-keeper was sweeping the place, and I told him he had no business to sweep it more than once a-day; the boatswain's mate abused me, and I returned it. A complaint was then made to Sir Richard Keats (the governor), and I was expelled for life. I petitioned to the Lords of the Admiralty to have the pension which I had before I went into the hospital restored to me. I am entitled to that pension by an act passed in the reign of George IV., which entitles a pensioner to have the same pension which he had before he became an in-pensioner, unless he struck an officer, or committed felony, or did anything of the kind, which I did no such thing; on the 19th of last April I petitioned the king to have my pension restored. He answered by sending the petition to the Lords of the Admiralty, and Mr. Barrow, the secretary, sent a letter to me at the public-house, the Admiral Duncan, with the same answer the king gave. The answer was, that 'His Majesty could do nothing for me.' This was part in writing, and part in print. I had neither workhouse nor overseer to apply to, and had not broke my fast for three days; merely distress drove me to it. His majesty never did me an injury, and I am exceedingly sorry I threw a stone or anything else at his majesty. On the 17th of the present month I went to Admiral Rowley's; he swore at me and kicked me. I can only say I am very sorry for what I have done, and must suffer the law. They had no right to take my pension from me, to which I was entitled by Act of Parliament."

This was all the wretched man said, and he was then fully committed for trial in the customary form, upon the charge of high treason.

His trial took place at Abingdon on Wednesday the 22d August, when he was arraigned upon an indictment, charging him with assaulting his majesty, with intent to kill and murder him,—with intent to maim and disable him,—and with intent to do him some grievous bodily harm.

The prisoner pleaded not guilty, and the case was immediately com-

Digitized by Google

menced. The evidence was conclusive as to the facts which we have stated, and a verdict of "Guilty" upon the last count was returned.

The sentence awarded by the law to the offence of high treason was immediately passed, the prisoner being ordered to be drawn and quartered, in obedience to the ancient and long existing practice.

It was directly known that a sentence so severe would not be carried into full effect upon a man whose only crime appeared to have been insanity, although there was no distinct evidence by which this supposition could be proved; and on the following Friday, a respite was received at Abingdon jail, by which the punishment of death was removed in the case of the wretched old convict.

Collins, at the time of his trial, was upwards of seventy years of age, and, as his defence before the magistrates imported, he had served in the navy for many years. His gallant conduct in an action was the cause of his losing his leg, and he was compelled to quit the service. He subsequently exerted himself to procure his admission to Greenwich Hospital, and eventually he succeeded; but he was expelled for the misconduct which he pointed out. From this time he appears to have supported himself by begging, and he was well known at the various fairs and race-courses, which, however, he had previously been in the habit of frequenting in a similar character.

His sentence was eventually commuted to transportation for life, and he was sent from this country to Van Dieman's Land. A short residence in that colony ended his days. He died at Port Philip in the spring of the year 1834.

WILLIAM KENNEDY AND WILLIAM BROWN.

TRIED FOR A MURDER COMMITTED ON THE RIVER THAMES.

THIS unfortunate case produced a deep sensation throughout the metropolis, and for a considerable space of time tended, in a very material degree, to prevent persons attached to the exercise of rowing on the river Thames from pursuing their favourite sport. The circumstances of the death of the deceased are singular, and deserve to be related.

It appears, that Mr. William Wilkinson was the managing clerk to Messrs. Williams, Jacob, and Co., merchants, of Hare-court, Aldersgate-street, and at the time of his death had reached his twenty-fifth year. He was fond of the sports of the river, and frequently enjoyed the exercise of rowing, either alone or in company with a friend. On the evening of Tuesday the 17th of July, accompanied by a Mr. Smales, a stationer, of No. 36, Aldersgate-street, he proceeded to the yard of Mr. Hodges, near Blackfriars-bridge, and there hired a boat for the purpose of proceeding up the river. They had reached Vauxhall-bridge, when through the falling shades of night they saw two boats advancing upon them, and as they supposed dogging or following them. They did not immediately take any notice of the circumstance, but pulling on through the bridge they reached a spot near to the lock or opening of the Grosvenor Canal. They found that the boats were still in their vicinity, and were drawing nearer to them;

Digitized by Google

and Mr. Wilkinson remarked, that he did not like their appearance. At this moment Mr. Smales drew his watch from his pocket to see what time it was, and he found that it was ten o'clock. Mr. Wilkinson suggested that they could pull on for ten minutes longer, and then return with the tide and take a glass of ale at the Spread Eagle tavern, a much frequented waterside house. While this conversation was going on, one of the boats which had been chasing them passed, and they had just taken their sculls in their hands to resume their progress, and had pulled a few strokes, when they found that they had come in contact with the boat. Mr. Wilkinson exclaimed, "We are foul of a boat here, let us shove her off," and proceeded to clear the funny in which he was from the other boat; but he found that his efforts were unavailing, and that, notwithstanding his exertions, the boat came alongside. There were two persons in it, and one of them, whose appearance was remarkable from his wearing a blue and white nightcap, made a snatch at the coats of Mr. Wilkinson and Mr. Smales, which were lying at the feet of the former in the funny. He was successful in reaching them and drawing them into his own boat, which was a light skiff, and he and his companion then directly shoved off and rowed away with all speed. Mr. Smales raised his scull and endeavoured to strike the leading offender in this impudent robbery; and at the same moment, Mr. Wilkinson sprung from his own boat and seized the gunwale of the receding skiff. The second boat at this moment was observed to be rowed away with great speed, and Mr. Smales' attention was directed to his friend, who, holding the antagonist boat, was immersed in the river. He saw that his hands were pushed away from their hold by the same man who had before been active in the robbery, and then the same man and his companion struck him repeatedly and violently over the head and hands with their sculls. Mr. Smales cried "Murder," at perceiving the imminent danger in which his friend was placed, and exerted himself to save him by throwing to him two of the sculls in his boat. His efforts were, however, futile, and he saw Mr. Wilkinson sink, apparently overpowered by the blows which he had received. The boat in which their assailants were now rowed away as quickly as possible, and the waiter and jack-in-the-water at the Spread Eagle, alarmed by the outcry, put off to the assistance of Mr. Smales. He acquainted them with what had passed, and urged them to endeavour to save his friend, but they were unable to render any effectual aid, and were compelled to give up their search after a useless attempt to recover the body of Mr. Wilkinson. Fresh assistance from the shore was procured, and drags were employed, but to no purpose.

Mr. Smales, on his proceeding on shore, at once gave information of what had occurred to two friends whom he accidentally met at the Spread Eagle, and accompanied by them he secured the co-operation of Mitchell, a surveyor of the Thames Police, in endeavouring to secure the originators of the attack upon him and his friend, and the death of the latter.

In the course of the ensuing morning, the skiff which had been used by their assailants was found at Nine Elms, Vauxhall (on the opposite shore to that on which the Spread Eagle is situated), and it was discovered to belong to Mr. Moore, a boat-owner, from whose yard it had been clandestinely taken on the previous night by two men named Kennedy and Brown. Mitchell was perfectly acquainted with the persons and the character of these individuals, and he hesitated not to believe that they

Digitized by Google

were the men who had been guilty of this outrage. Proceeding in search of them he soon succeeded in apprehending them, together with three of their companions, named Kitley, Lyon, and Flack, who, like them, were of notoriously bad character, and were well known as river thieves. Evidence was not long wanting to connect Kennedy and Brown with the transaction. Independently of the knowledge of their having possessed themselves of Mr. Moore's boat, on the Tuesday evening, at about the time when Mr. Smales and Mr. Wilkinson must have been passing the yard where it was lying, and where, a moment before, they had been in conversation with an apprentice of Mr. Moore, named Shearing; it was ascertained that they had been seen walking together from Nine Elms towards Lambeth Butts, at about half past ten o'clock, on the night in question, and that on their arrival at a beer-shop, which they frequented there, their demeanour was confused, and entirely different from its usual character. On the following morning they were seen at the same house, in company with the other prisoners, Flack and Kitley, and they all appeared to be intently occupied in the destruction of some letters or papers, which had been produced by Kennedy. They had remained thus employed some time, when all but Kennedy went away. Isbester, a Thames Police officer, shortly afterwards made his appearance in search of them, but Kennedy seemed to be instinctively aware of his approach, and speedily vanished. Bean, the landlord, presently discovered that he was hidden in an adjoining empty house, and having driven him out he was immediately secured. The other prisoners were taken into custody in the course of the same day.

It was not until Thursday morning that the remains of Mr. Wilkinson were recovered from the river. They were then washed ashore opposite the very spot where they had sunk. They presented in themselves sufficient evidence of the violence which the unfortunate gentleman had suffered. The nose was broken, and the head, face, and hands, were severely bruised. At an inquest held on the body on the next evening, Friday the 20th of July, Mr. Davis, a surgeon, was examined, who had inspected the body of the deceased. He declared, that the injuries of themselves would have been sufficient to cause death, but he suggested that in all probability they had created insensibility, and that the deceased, having sunk, had been suffocated by drowning. The facts which have been already detailed were proved in evidence before the jury, and a verdict of "Wilful Murder" against Brown and Kennedy was returned; the latter being recognised by Mr. Smales as the man with the night-cap, who had been most active in the attack. The other prisoners were declared to be insufficiently connected with the affair to admit of their being included in the verdict which had been given; but the further investigation of the case was directed to be carried on by Captain Richbell, the magistrate at the Thames Police Office.

The subsequent inquiries of the police-officer tended to confirm the suspicions which were entertained with reference to Brown and Kennedy. The papers, the destruction of which it had been shown Kennedy was anxious to procure, had been only partially burned; and some fragments of them which were secured, were proved to bear the hand-writing of the deceased. The coats too of Mr. Smales and Mr. Wilkinson were afterwards discovered at the lodgings occupied by the two prisoners. The

Digitized by Google

ends of justice, it was considered, rendered it fit that Kitley and Flack should be examined as witnesses, and their testimony afforded conclusive proof of the premeditated guilt of their late companions of the crime of robbery; but they asserted their belief that in determining to commit that offence, they had no intention to cause the death of the persons whom they attacked.

The prisoners Brown and Kennedy said that the statement of these new witnesses was quite true, and they admitted that they had put off in the boat from Mr. Moore's yard, intending to rob Mr. Wilkinson, but they affirmed that although on that gentleman's jumping to their boat, they had pushed his hands off to prevent his any longer clinging to the gunwale, they had struck him no blows with their oars, but that the wounds which he had been found to have received, had been caused first by his falling, when he jumped with his face on their boat's stern; and secondly, by the ill-directed attempts of Mr. Smales to throw to him the sculls, with which he might assist himself, in keeping his head above water.

The prisoners were then committed for trial; Lyons, against whom there appeared to be no evidence, being discharged, and the other men, Kitley and Flack, being bound over to give evidence.

The further and final investigation of the case, before Mr. Justice Patteson and a jury, took place at the Old Bailey, on Friday the 7th of September. The evidence having then been gone through, the prisoners put in a written statement, reiterating the defence which they had made before the magistrate. A verdict of "Guilty" followed, and sentence of death was immediately passed on the prisoners by the Recorder, and their execution was directed to take place on the following Monday.

In the course of the trial, however, circumstances had arisen which induced a belief on the minds of the jury, that there might be some doubts whether the intention of the prisoners might not have been that which they had pointed out, and whether in fact the blows received by the deceased might not have been unintentionally dealt by the hand of his friend, Mr. Smales. The evidence which was adduced, compelled them to return a verdict of "guilty," but immediately after the trial a petition was prepared and signed by them, in which they prayed that some further inquiry might take place, with a view to the commutation of the punishment, to which the prisoners had been sentenced. The learned judge was equally uncertain with them, whether, in truth, Mr. Smales might not unconsciously have struck Mr. Wilkinson, while he was in the water, and whether the prisoners' account of the transaction might not be true; and these doubts being increased by the production of an affidavit, which was placed in the hands of the sheriff, that the deceased was intoxicated at the time of the occurrence, (although this statement was contradicted by Mr. Smales), sufficient grounds were deemed to be made out for a respite being granted. While, however, this measure of leniency was accorded, it was distinctly intimated, that it was only under the peculiar circumstances of the case, that the Privy Council had taken upon itself to recommend the exercise of the royal prerogative of mercy. The crime of murder had no doubt been proved, but the remarkable nature of the transaction rendered it advisable that, while justice was impartially administered, its dictates should not be obeyed with harshness. The respite was communicated to the wretched convicts, on Sunday the 9th of September, when they expressed themselves deeply grateful for the lenient view

Digitized by Google

which had been taken of their case. During their imprisonment they had conducted themselves in a manner to show their sincere penitence for the crimes which had marked their previous lives. They admitted their participation in many robberies on the river, and on its banks, for which they had frequently been apprehended, and acknowledged the wickedness of their career.

Their punishment was eventually commuted to transportation, to which they had confessed themselves liable.

WILLIAM JOHNSON.

EXECUTED FOR MURDER.

THIS is an instance of murder, in which the depravity of the human mind is painfully depicted. The victim of the foul deed was a young man named Benjamin Danby, the son of a respectable tradesman, a forensic wig maker, in the Temple. Young Danby, at an early age, expressed a passion for a maritime life, and he accordingly went to sea. After making several voyages, he returned and found that his father was dead, that the bulk of his property was settled on his sisters, but that an allowance of a guinea per week had been secured to him during his life. These circumstances made a deep impression upon the mind of the young man; but his allowance having been increased by his sisters to two guineas per week, he became more settled. Towards the close of the year 1832, he took up his residence at the house of his cousin, a Mr. Addington, a baker, living at Chase Side, Enfield Chase. His manners were remarkable for all that freedom and eccentricity for which persons in his situation are proverbial; and with his pockets well lined with cash, and possessed of a warm and generous disposition, he soon became a great favourite among the villagers. His acquaintance among them was extensive, and he not unfrequently enjoyed his cigar, and a game at dominoes, at the "Three Horse Shoes," a small public-house in the village. It was here that he met with his future murderers. His attachment to frolic, and his easy good-nature, had led him to form acquaintances among persons of low character, and of abandoned habits, in the neighbourhood; but he dearly paid the forfeit of his imprudence.

On Wednesday afternoon, the 19th of December, 1832, at about four o'clock, he quitted Mr. Addington's house for the last time. He took his gun with him, saying he was going shooting, but promised to return at ten o'clock; he was carried back on the next day a corpse. The unfortunate young man, it appears, having enjoyed his favourite pastime, repaired to the Three Horse Shoes, where he met some of his companions. Four persons, named William Johnson, the son of a gardener in the vicinity; Richard Wagstaff, a baker; Samuel Cooper, a carter, who was quite a lad, and the son of a labouring man; and Samuel Sleath, or Fare, a person who appeared to have no determined occupation, were seen in his company, and they were engaged playing at dominoes (as usual), and drinking together, apparently upon excellent terms. At about a quarter past ten o'clock young Danby declared that he must go home; but he had now become somewhat intoxicated, and on his reaching the open air, he

Digitized by Google

was observed by Mrs. Perry, the landlady of the public-house, to stagger. Johnson and Fare said that they would see him home; but their manner induced a suspicion in the mind of Wagstaff that they were going to rob him: he therefore called to young Cooper to come away; but his answer was, that he had been with them all the evening, and that he meant to "go up there" with them now. Wagstaff then went away in a direction the contrary to that taken by Danby and the others.

On the following morning, at half-past five o'clock, a man named Wheeler, a labourer, was passing through a place called Holt White's-lane, about half-a-mile from the Three Horse Shoes, when he observed a dead body in the ditch. He called a man named Ashley to him, and they discovered that it was the body of young Danby. His legs were towards the road, and the head in the ditch, face downwards; and on their turning it over, it presented a horrible and ghastly spectacle. The face was cut and slashed in a most dreadful manner; the flesh was scored out, as it were, in five places; and the right whisker was completely cut away, and hung suspended to the jaw by a small piece of skin. In the throat of the murdered man they observed a deep stab, inflicted in the manner which would be practised by a butcher in killing a sheep, the knife having been turned in the wound. They at once communicated the particulars of this horrifying discovery to the police of the town, who lost no time in procuring the removal of the body to a neighbouring public-house, "The Old Sergeant," and in conveying the dreadful intelligence to Mr. Addington.

Inquiries were instantly set on foot, and the circumstances above detailed having been ascertained, Johnson, Fare, and Cooper were taken into custody. The first-named person was found sitting in his father's house, deep in thought. He instantly consented to accompany the officer. Fare was found in the village in the course of the day; and on his being searched, eleven shillings were found on him, although on the previous day his poverty had driven him to procure two shillings, parish relief; and Cooper was found driving a brewer's waggon within fifty yards of the spot where the murder was committed, having unconcernedly just passed a crowd assembled at the place, gazing in horror at the scene of the transaction to which he had been a party. At the moment of his being secured, he was listening with well-feigned astonishment at a recital of the dreadful discovery of the morning, although at that moment he had upon his head a cap, the inside of which was stained with the blood of the murdered man.

In the course of the day the spot where the murder had been committed was minutely examined. It appeared as if there had been much struggling, and as if the unfortunate deceased had made a desperate resistance. On the ground near the body were found a number of shot, and a long strip of cloth; and at some distance the handkerchief, which the deceased had carried, was also picked up. The deceased was proved to have carried shot with him on his quitting Mr. Addington's house, together with the bowl of a tobacco-pipe to load his gun. Some shot, exactly similar to those found in the road, and the bowl of a tobacco-pipe also agreeing in appearance with that used by the deceased, were found on Fare; and the trousers worn by Johnson were ascertained to correspond in colour with the strip of cloth found, and to have lost such a piece of their original fabric.

Thus much evidence had been obtained, when the prisoner Cooper sent

Digitized by Google

for one of the constables, and declared that he would tell him all. He then proceeded to detail to him the circumstances attending the murder; but as he subsequently repeated his statement before the coroner, it shall be given in the more authentic form in which it was there received.

The inquest first sat upon the body of the deceased on the day after the discovery of the murder, but its proceedings were continued from day to day for a week from the date of their commencement.

On Monday the 24th of December, Cooper made his statement in the following terms:—

"On the Wednesday night, about ten o'clock, I went to the Horse Shoes public-house, to get me a pint of beer, and there was John Taylor, Charles Jackson, Danby, and Richard Wagstaff playing at dominoes; William Johnson and Samuel Fare were also there. When they had done playing at dominoes, Fare and deceased began tossing for beer and gin; they gave me some of the beer and gin to drink. We all went out together about eleven o'clock, or a little after; I went out first, and Johnson, Fare, Richard Wagstaff, and the sailor (deceased) followed. The man who was murdered fell against the rails of the river, near the door of the Horse Shoes, and then asked some of us to lead him home; Johnson and Fare took hold of him, and led him as far as Wagstaff's. In going along, Wagstaff persuaded me to go home, but I did not go. I had got as far as Wagstaff's, and the others were a little farther on; Fare, Johnson, and the deceased had a scuffle, and Wagstaff went into his house just at that time. Fare fell down, when deceased took hold of me by the arm, and asked me to lead him home; I and William Johnson and the deceased went on, and Fare stopped behind. When we got opposite Mr. Addington's, Johnson persuaded the deceased to go on, and get a pint of beer; the deceased said, 'With all my heart;' and then me, Johnson, and the man went on. I thought he was going to Mr. Cutliffe's, but he went on to Holt White's-lane, or Chase-road, as it is called; a man and a woman passed us there, and I wished them good night; Johnson, the deceased, and me, went up the Chase-road, and I thought we were going to get some beer at the top of the hill; we went up until we almost came to Pinnock's (a beer-shop), when Johnson turned us round; I had hold of one arm of the deceased and Johnson the other; and on Johnson turning us round, I was next to the ditch, I having hold of the left arm; on going down the road, and when we had proceeded about eight or nine poles, Johnson said, 'I am cursed if Sam (Fare) harn't robbed me;' about half-a-minute after, Johnson put his foot behind the deceased and threw him down on me, and I fell in the ditch with the deceased upon me; my head was underneath the head and shoulders of the deceased; I drew myself from under the deceased, and my cap came off; I felt about for my cap, and found it underneath the man's head; it was all over blood; I said to Bill Johnson, 'What have you been doing with the man? Don't hurt him;' he said, 'I've done him;' when I got out of the ditch, and stood in the middle of the road trembling, Johnson came away from the man to me; when deceased lifted up his head, and said, 'O, don't, don't, pray don't, I know;' Johnson then said, 'Here, take this knife, and go and finish him;' I replied, that I would not; Johnson said, 'Don't say a word,' and shook his fist at me; he then went and killed the man directly; I should have run away, only I was afraid I should have been served the same; I saw Johnson pick up

Digitized by Google

something from the side of deceased; he then took a handkerchief from the deceased, and gave me a piece of bread out of it, which I threw over the hedge; we then came away down the road, and Johnson several times said, 'Don't say anything to anybody;' I wanted to go to my own house, but he said, 'Come this way across the fields, don't go that way.' We then went across Mr. Corney's field, and over the New River bridge; Johnson washed his hands and his knife in the river; it was a black-handled clasp knife, which I have seen several times; after washing the knife, we went over the Horse-shoe bridge, and turning down by the river side, near Mr. Robinson's, Johnson took the deceased's handkerchief from his pocket, and threw it into the water; we then parted, Johnson again urging me to say nothing; I then went home; Fare left us near Mr. Cutliff's (near the house where Wagstaff lived); I did not see him again after I took hold of the deceased to lead him away."

The prisoners, Johnson and Fare, were introduced into the room before the case was concluded, and the nature of the evidence against them stated to them. They contented themselves with denying the truth of the allegations which were made, and conducted themselves throughout with extraordinary composure.

The jury at the conclusion of the proceedings returned a verdict that the deceased had been wilfully murdered by Johnson and Cooper, and that Fare had been accessory before the fact.

The prisoners were then committed to Newgate to await their trial, Cooper being also detained in custody to give evidence.

On Friday the 4th of January, 1833, the prisoners, Johnson and Fare, were put upon their trial at the Old Bailey. The inquiry lasted during the whole day, and the court was much crowded. There being now no further evidence than there had been before the coroner, to implicate Fare in the actual murder, he was acquitted, and removed from the bar; and Johnson was then called on for his defence. He put in a written statement, commenting upon the prejudices which had been excited against him, and declaring that Cooper's must have been the hand by which the deed was done, for that he and Fare had left the deceased with him at the end of Holt White's-lane on the night of the murder, and had seen no more of either of them afterwards.

The jury retired to deliberate upon their verdict; but after an absence of two hours, they declared the prisoner to be "Guilty." Sentence of death was instantly passed, and the prisoner was ordered for execution on the following Monday, a doom which he heard with little emotion.

On the appointed day, the 7th of January 1833, the sentence of death was carried out upon the body of the malefactor. There was an immense concourse of spectators; and on the appearance of the culprit on the platform, the groans and exclamations of disgust on the part of the mob were deafening. The unhappy culprit was, however, lost to all sense of the misery of his condition, and was totally unable to stand without assistance. The rope was placed round his neck as quickly as possible; and at the usual signal the drop fell.

During the time intervening between his conviction and his death, the wretched man appeared to become alive to the awful position in which he stood. He was frequently exhorted by the worthy ordinary of the jail, to whom he declared his sincere repentance. On the Sunday he was visited

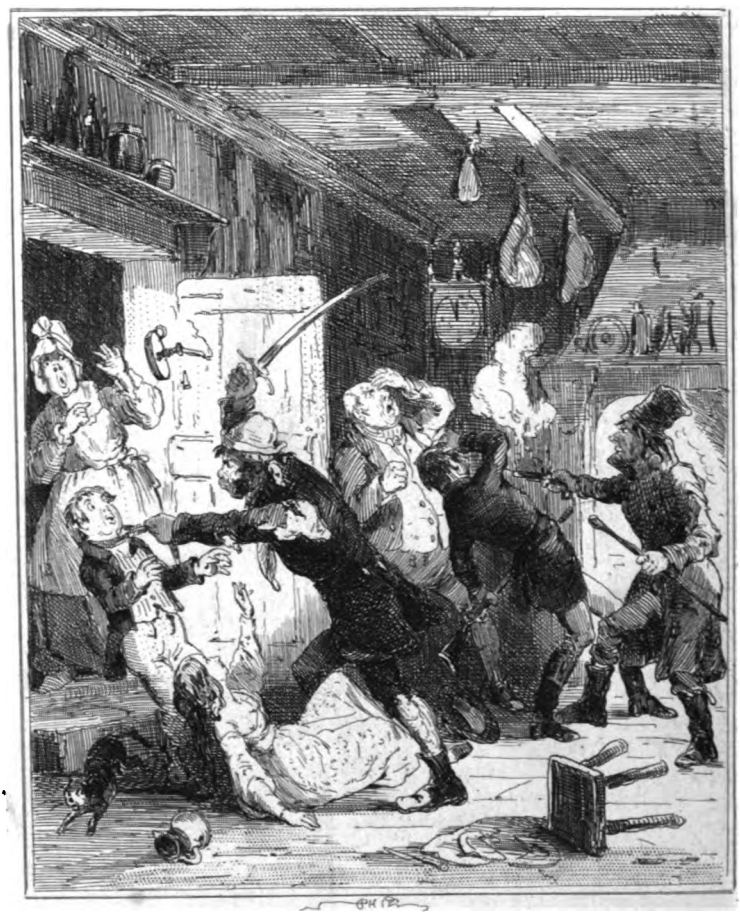
Digitized by Google

by his wife, to whom he had been married about three years, and who was now in an advanced state of pregnancy. The interview was exceedingly affecting; and Johnson, who, it would appear, had not been a kind husband, seemed deeply to feel the harsh conduct of which he had been guilty, and entreated her forgiveness. After his wife had gone, he sunk gradually to a state of stupor, from which nothing could rouse him.

He had previously made a statement to Mr. Sheriff Humphrey, of which the following is a copy:—"I had with others been drinking at the public-house, and afterwards, about eleven or half-past, we left, accompanied by Danby, the deceased. On going home Fare left us, and then Cooper went with Wagstaff. On being left alone with Danby, he informed me that some one had robbed him, and I was so frightened for fear that I should be taken up for highway robbery, that I was determined not to leave, but to get him to some house of safety; and, on passing his relation's (the baker), I wanted to knock them up, but he would not let me, and said they were gone to bed, and so we passed on; but I now wish that I had stopped there, then this would not have happened; but it is now too late. As we were going on, Cooper came up; he had been away about five minutes, and the moment Danby saw him, he said, in great excitation, 'This is one of the chaps that robbed me,' and he flew at him (Cooper) like a tiger, and said he would serve him just in the same way as he served a black man in the East Indies, and in the scuffle we all went down on the ground, by the ditch, and I do most solemnly say, that I did not trip up the deceased; and he (Cooper) also was on the top of him (deceased); and while he was down, Cooper had a knife (a clasp-knife, I think, but the night was so dark I could not say which, and the point was as broad as my two fingers), and he was cutting the deceased. I do also most solemnly say, that I also took the knife, and cut Danby, and did help to kill him; but the knife was not mine, nor do I know where the knife came from. Cooper had it in his hand when the deceased was on the ground in the ditch. Knowing I must leave this world soon, I do most solemnly avow before God, in whose presence I must soon appear, that Cooper first cut the deceased, and I afterwards struck him; and afterwards I stood by and saw Cooper take something out of his pockets. He said, 'I have got three-halfpence,' or 'one penny and one halfpenny.' We were both very much frightened, and left the deceased in the lane, and went home across the fields. I do also most solemnly say, that when we left the public-house we had no idea of killing him. I do not know who robbed him, but suppose it must have been Fare, as the money was found on him, and it was proved he had been applying for relief from the parish. I can only say, I had no hand in robbing him, either directly or indirectly; and what possessed me to participate in killing him I know not; but, after the deed was done, I was ready to kill myself; and I now say, that I ought to die for committing such an act. The knife which Cooper said, in his examination, was mine, and that it was a black-handled one, and small blade, I do most solemnly avow I had lost some time before, and had no knife with me when we left the public-house. The night was so dark, I could not distinctly see the one the deed was done with, and after it was done I threw the knife into the ditch, and suppose (the knife not being found) that Cooper must have picked it up; and the reason of Cooper's confession I believe was made thinking I should tell of him first and have him convicted; but we

Digitized by Google

Digitized by Google



Digitized by Google

both said, 'We shall be hanged.' I have no ill-will towards any man, and I now leave this world for a crime which I shudder at."

The unfortunate man, as we have already said, had been married about three years. He was a native of Enfield, and was brought up by his father to the business which he followed, that of a jobbing gardener. He attributed his misfortunes to his marriage, and to his inability to procure work sufficient to support him and his family.

His late fellow-prisoner Fare, was on a subsequent day put upon his trial, for stealing from the deceased the money of which he was known to have been possessed, and a portion of which had been found in the prisoner's pockets on his apprehension. A verdict of "Guilty" was returned, and the prisoner was sentenced to be transported for fourteen years.

Fare, it appears, was like Johnson a native of Enfield, and at the time of his apprehension lived with his mother, a widow in that village. He had been occasionally employed among his neighbours at jobbing-work of all descriptions, and was at the time of the murder in extreme poverty.

Cooper, the companion in guilt of the two convicts, having been detained in custody until the end of the sessions, was then discharged.

JAMES BERRYMAN AND THOMAS BERRYMAN.

CONVICTED OF BURGLARY.

THIS atrocious outrage was committed on the night of the 2d of November 1832, at a place called Tunley, within two miles of Disley and six miles of Gloucester, at a farm-house, the residence of Mr. Hancox. Mr. Hancox, it appears, had a family consisting of two sons and several daughters, who resided with their father and mother at the farm of Tunley. The young Hancoxes assisted their father, who was becoming aged, in the management of the farm, while their sisters were equally engaged in such occupations as befitted their sex and age.

On the night of the 2d of November, the elder of Mr. Hancox's sons was in the homestead or farm-yard attached to his father's house, when he observed three men approaching whose appearance was strange to him, and whose intentions he was disposed to believe were not honest, as the farm was considerably out of the main road, and nearly two miles from any other house. He determined, therefore, to retire to the cover of the dwelling to procure the assistance of his father and brother, in case of any intention to commit violence being shown, in order by their united efforts to repel any attack which might be made. To reach the house in a direct line he sprang over the garden fence, but in taking the leap his foot caught something, and he fell to the ground. The approaching strangers by this accident were enabled to come up with him at the moment he entered the kitchen-door; and the young man, now convinced of their evil designs, called to them to know what they wanted, at the same time advancing to the fire-place to reach down a gun which was suspended over the mantel-piece, in accordance with the custom of most farm-houses of the district. An observation was made by one of the party, the precise nature of which was not heard; and young Hancox turning round to ascertain what was said, suddenly received in his face and eyes the greater portion of the contents of a pistol discharged

Digitized by Google

by one of his assailants, consisting of small shot and sand. The unfortunate young man blinded, and for a moment deprived of his senses, fell to the ground; but his father entering the kitchen at the moment of the discharge of the pistol, was also wounded by some of the shot. The disturbance created by this sudden attack instantly attracted to the spot the other inmates of the house; and Mrs. Hancox and her younger son directly afterwards entered the kitchen. They were, however, felled to the ground by the same ruffian who had fired the pistol; and then a second fellow armed with a sword advanced to them, and swore he would murder them if they made any outcry, or attempted any resistance.

Thus overpowered, Mr. Hancox at once perceived the uselessness of making any effort to prevent the object which he conceived his assailants to have in view — that of robbery; and the foremost villain, with the man who had hitherto taken no active part in the affair, instantly proceeded to ransack the house for valuables. Demanding that Mr. Hancox should first give him what money he had in his possession, they received from him a sum of 65*l.* in bank-notes and gold, and then they proceeded to the upper rooms to secure whatever portable articles they could find which might be worth being carried away. The daughters of Mr. Hancox had been dreadfully alarmed at the proceedings of the robbers in the kitchen, of which they had been partial witnesses, and terrified lest violence should be offered to them also, they had run in different directions from the house to the garden and out-houses, in order to conceal themselves. The two thieves on whom the task of searching the premises had devolved, had made their examination of several rooms, when they reached the apartment occupied as the sleeping-room of the eldest Miss Hancox. They had a light with them which reflected through the window, and the youngest Miss Hancox supposing that it was her sister going to bed, yet afraid to re-enter the house, which she knew the thieves had not yet quitted, threw a handful of gravel at the window. The boldest burglars, it is well known, may be easily alarmed, and so it proved in this case; the villains, whose consciences doubtless pictured to their minds the approach of powerful assistance to repel their attack, made a precipitate retreat from the house, carrying with them some articles of silver plate; and running in a direction contrary to that by which they had approached it, were soon lost to view in the darkness of the night.

Instant medical aid was now procured for Mr. Hancox and his son, who were suffering severely from the wounds which they had received; and the youngest son was despatched to Disley with intelligence of the outrage, and a request that assistance might be immediately afforded in searching for its perpetrators. The village soon sent forth all its male inhabitants to assist in the inquiry, but in vain; and after many hours' watching they were compelled to return home without having learned anything tending to convey any suspicion in their minds as to who were the guilty parties. Young Hancox, it was found, had been severely wounded both in the face and eyes, and to the grief of all it was ascertained that his eyesight had been destroyed entirely, and for ever.

On the following day information of the event was conveyed to London, together with such a description of the persons of the robbers as Mr. Hancox and his family were able to give. Their features had been partially concealed by red comforters which covered the lower part of their faces, and

Digitized by Google

by black crape; but Mr. Hancox and his family had a strong impression upon their minds of the general appearance of the men, whom they declared they should be able to recognise if they were again to see them.

Upon the facts of the case being stated to the magistrates at Bow-street, Ellis, an active and shrewd officer of that establishment, was instructed to exert himself in securing the offenders. A few inquiries on the spot were sufficient to put him upon a scent, which in the sequel proved the correctness of his judgment. Three brothers of the name of Berryman, natives of Gloucestershire, but now resident in London, were the persons to whom his suspicions attached the guilt of the transaction; but he found that he had wily game to follow. The apprehension of one without the others would have been to destroy his chance of complete success; for to let it be known that they were suspected, would be only to cause their instant flight. To secure his object, therefore, he had to act with extreme caution. He found that James Berryman, one of the brothers, was engaged as a journeyman hatter in the service of Mr. Straight, in Charlotte-street, Blackfriars-road, while his brother William, the youngest of the three, was occupied in the uncertain calling of selling pies and sweetmeats in the streets, his usual haunt being the neighbourhood of Goswell-street. The third brother, Thomas, was to be seen occasionally with each of his relations, but appeared to have no fixed occupation or employment. Ellis, with an assistant, a lad named Goodison, was for several weeks intent upon watching his prey without being able to find the favourable moment to pounce upon them, and disguised in almost every variety of costume he continued his observations of them. At length, on Wednesday morning, the 5th of December, he succeeded in finding them all together in Goswell-street, and closing upon them he secured them and carried them to Bow-street. James and Thomas Berryman were then instantly recognised by the younger son of Mr. Hancox, who had been awaiting their apprehension in London, as having been parties to the robbery, and Ellis declaring his impression that he should be able also to procure evidence against the third brother in Gloucestershire, they were all three ordered to be conveyed to Disley.

Upon their arrival there they were examined by a local magistrate, by whom they were remanded until a subsequent day. On that day James Berryman was distinctly sworn to as the man who had discharged the pistol, and his brother Thomas was recognised as having been one of his associates; but the third brother, William, against whom there was no proof whatever, was discharged out of custody. The testimony of the family of Mr. Hancox as to the identity of the prisoners was not left wholly unsupported, but by the indefatigable exertions of the officer other corroborative evidence was procured. This consisted of proof of the absence of the prisoners from London on the day before and the day after the robbery; of their arrival at Cirencester from London on the afternoon of the 2d of November in a van, and of their almost instant departure from that place in the direction of Disley; and finally, of their presence at the Bird-in-Hand public-house, about twenty-five miles on the London road, apparently foot-sore and fatigued, at mid-day on the 3d of November; and of their departure from that place in the evening in the waggon for London, and their subsequent arrival in the metropolis.

Upon this evidence the prisoners were committed for trial at the ensuing assizes; but Ellis was still convinced of the practicability of securing the

Digitized by Google

third man, who had been engaged in this atrocious outrage. He had reason to believe that he was a relation of the Berrymans, named Desmond, *alias* Hunt; and after considerable difficulty he at length succeeded in securing him by a stratagem, while he was working at his trade of a shoemaker in the Goswell-street-road.

This new prisoner, however, expressed his anxiety to disclose all he knew upon the subject; and although it was known that he was implicated in the transaction, the uncertainty of procuring his conviction operated in his favour, and he was admitted to give evidence for the prosecution.

On Saturday, the 6th of April 1833, the trial of James and Thomas Berryman took place. The testimony of all the witnesses tended at once to attach the guilt of firing the pistol to the former prisoner; and the latter was also positively identified as having been a party to the robbery. The statement of the approver confirmed the declarations of the other witnesses, and both prisoners were found guilty.

The superior atrocity of the conduct of the prisoner James Berryman, marked him as a fit object for the infliction of a punishment of a serious nature, and he was sentenced to death, while his brother received sentence of transportation for life.

The sentence of death was executed upon James Berryman at Gloucester, on Saturday the 20th of April.

RICHARD COSTER.

TRANSPORTED FOR FORGERY.

THE name of Richard Coster will long be remembered in the city of London. A most accomplished and successful swindler, he for years succeeded in evading that punishment which was the just reward of his offences against society; but at length, like all other of his class, he overreached his owning enuity, and met the fit return for his numerous frauds in a sentence of transportation.

We are not able to supply our readers either with the date or the name of the place of the birth of our hero, neither are we in possession of the means of informing them who were his parents, or what was the sphere of life in which they moved. From the extent of the education of their son, however, it is pretty evident that their rank was considerably below that which may be denominated as the "genteel;" and the same conclusion may also be drawn from the very early period of life at which this most daring public depredator was placed "upon his own bottom," and sent forth to gain a living for himself. At an early age we find him at Oxford, and his first employment of any note was that of driving an errand-cart, between that city and London. In this humble occupation he continued for some years, and such were his industrious and penurious habits, that he at length realised sufficient money to start on his own account, in the "costermongering line," with a horse and cart of his own. In this business he soon found the importance of a connexion with the metropolitan trade, and ere long he located himself in London, a scene admirably adapted for the display of those peculiar talents which he possessed. He was not long

Digitized by Google

there in forming acquaintances, and connexions with persons, whose advice and instruction were highly important to him, in the scenes in which he was destined to move. Horse chaunters, or copers, swindlers of all sorts, utterers of base coin, thieves, "et hoc omne genus," were his constant companions, and Coster now became the competent associate of all. He felt, however, that he had a genius above the situation in which he was placed, and that his present calling was beneath the position which he ought to fill, and he soon quitted dealing in apples, and, by the various gradations of a small horse-dealer, an occasional purchaser of the proceeds of the produce of his associates' plunder, and the other occupations commonly followed by such "men upon town," he at length started in the year 1810, in Queen-street, Bristol, as a general agent and bill discounter.

Here, however, he was unfortunate; for in the course of the year he became an inmate of Newgate, in that city, on a charge of obtaining goods by false pretences; but on this occasion he seems to have slipped pretty quickly through the hands of justice, for in the following year we find him at the head of the firm of Coster and Co., in Bread-street, St. Philip's, Bristol.

His retirement to Bristol appears to have taken place in consequence of the notoriety which he had gained in London; but in 1814 we find him again shifting his quarters back to the seclusion of the crowded metropolis, for a reason, apparently, no other than that which had before induced his migration from it; conjoined, however, with a desire to avail himself of the wider sphere of action which was presented to him in that city. At this period he located himself at No. 8, Eltham-place, Kent-road; but a short residence there satisfied him, and he removed to No. 204, High Holborn, from whence, in 1815, he again changed his quarters to No. 7, Bazing-lane. In the following year, as if to be as close to the good things of this life as possible, he carried on the business of an eating-house keeper, at No. 19, Noble-street, Falcon-square; but in the year 1818, he again appeared in the world of money, as a job-broker, at No. 5, Oat-lane, Wood-street, and at No. 22, Lower Smith-street, Northampton-square, while at the same time he acted as clerk to a Mr. Thomas Gray, provision merchant, No. 4, Berry-court, Love-lane, Wood-street.

In 1819, Coster removed to No. 3, Bridgewater-square, Barbican, at which time he is still represented as acting clerk to the above Thomas Gray, at No. 1, King-street-terrace, Lower Islington, and No. 4, Cross-street, Finsbury. The following year (1820), he established himself (still retaining his locality in Bridgewater-square) at No. 4, Staining-lane, under the firm of Coates and Smith, and afterwards under that of Smith and Martin, of both of which he was the ostensible partner. In Staining-lane, he carried on business for a number of years; and only gave up this concern in 1829, to conduct, on a larger scale, his operations, under the firm of Young and Co., Little Winchester-street; and Casey and Coster, Great Elbow-lane, Dowgate-hill, Upper Thames-street.

In the course of these repeated changes of residence, and of avocation, however, Coster did not pass unnoticed, or unknown. In September 1825, he was indicted at the Old Bailey, together with a man named Frederick Wilson, described as of No. 35, Union-street, Moorfields, for a conspiracy to defraud; and at the same sessions, Wilson was convicted upon a charge of obtaining bills of exchange under false pretences, and sentenced to seven

Digitized by Google

years' transportation. At the following sessions, too, Coster was also indicted for an offence precisely similar to that upon which his companion, Wilson, had been convicted. The prosecutor, in this case, it appears was a person named Marquet; and Coster, having first tried every means, and spent a large sum of money in endeavouring to escape from justice, at length succeeded in compromising the indictment with him, and in destroying all the evidence of his guilt which was in existence, namely, the bills which he was charged to have illegally obtained.

In February 1826, Coster was announced, by the report of the Society for the Suppression of Swindling, to have a warehouse in Little Britain; and in the May following his name was gazetted in the list of bankrupts. He had at the same time a counting-house at No. 5, New Union-street, Little Moorfields, under the firm of William Stoppe and Co., and was drawing bills on Messrs. John Heslop and Co., corn merchants and flour factors, South Town, Yarmouth, Norfolk; which were accepted, payable at Messrs. Esdaile and Co.'s, in connexion with Lacon and Co., Yarmouth Bank, indorsed "Major J. H. Montgomery."

In June 1827, Coster is proclaimed as circulating bills to a large amount in Bristol, and elsewhere; and in the report of the Society of the following September, we find it stated, that "Richard Coster, so often mentioned, has procured his admission, under the feigned name of De Coste, into the Honourable Society of Freemasons, at the Burlington Lodge, No. 152."

The Swindling Report for the 23rd of January 1828, localises our worthy at No. 111, Hatton Garden; and in the March following we trace him to the Queen's Arms-yard, Newgate-street, where he kept an office, while at the same time he had another place of business at No. 9, Parliament-street, Westminster, under the name of Davis and Co., together with a feather-bed manufactory, at No. 19, Macclesfield-street, City-road, under the name of Smith and Bruce; and a Wharf, at No. 11, City-road Basin, in the name of Smith. In the course of the same year, this most determined swindler is announced as having a house at No. 14, Dorset Crescent, New North-road; as having procured gloves and silk manufactured goods in the name of Wright and Co., Little Winchester-street; and as having premises at No. 2, York Wharf, Jew's Harp Basin, in the name of J. Smith; "And I am also directed to inform you (says the secretary to the Society for the Protection of Trade), that Young, Richards, and Co., No. 5, Upper Thames-street; Young and Co., No. 6, Little Winchester-street, Broad-street; Brown and Co., No. 3, Cushion-court, Broad-street; and Yates, Smith, and Co., No. 3, Cushion-court, Broad-street, are firms belonging to Richard Coster, so often noticed."

In the following July, Coster is again alluded to in this report, as having a residence at No. 1, James-street, Kent-road, and another at Myrtle Cottage, Goswell-terrace, Goswell-street-road; and in the following October there appeared in the Gazette a formal notice of the dissolution of partnership between Richard Coster and William Cunningham, of No. 4 Staining-lane, merchants, warehousemen, and general dealers.

It would be useless to go through the vast variety of places of residence and of business which Coster occupied, as well as of the denominations of trades which he carried on up to the year 1833, when he was taken into custody. A bullion dealer, in Little Winchester-street; he was driven thence to Great St. Helens, and to Primrose-street, Bishopsgate. A coral

Digitized by Google

dealer at the latter place he was again discovered and proclaimed; and at length he pitched his stall in New-street, Bishopsgate, the most fortunate of all his speculations, so far as the extent of business which he transacted went, but the most unfortunate considering the result of his proceedings here, namely, his conviction and transportation.

While, however, we have thus described the wanderings of Mr. Coster from house to house, and from business to business, we have not as yet acquainted our readers with the measures by which he was so successful in his cheating schemes. The following copy of a circular issued by him, headed "Accommodation," in large black letters, supported by the emblems of masonry, gives a fair sample of his mode of raising the supplies.

He commenced his leading documents thus—with all the pomp and parade of a recruiting-sergeant at a country fair to catch his flats :—

"Merchants, manufacturers, farmers, graziers, tradesmen, and persons of respectability in England, Ireland, Scotland, and Wales, or in any foreign part, may have good London accepted bills of exchange procured for them, regularly drawn, accepted, and indorsed, and, if necessary, specially indorsed to them, at any dates and for any amount their circumstances may require; or they may be allowed to draw themselves on respectable and responsible houses in the city of London, and which will be regularly accepted when presented for that purpose, provided the drawers advise of such bills being drawn, and enclose the commission of eight-pence in the pound (otherwise they will be disowned). These bills they get easily discounted at their country bankers, or amongst their private monied friends; and in some cases pay them for merchandise, even on their own respectability, and, when they become due, they remit to us, or any friend in London, the money to pay the same; and in case they are incapable of taking them up, they again apply to us in sufficient time to procure them fresh bills, say upon B, which they instantly get discounted, and with the proceeds thereof pay the first they negotiated upon A; and so they go on until such time as their own produce or property turns into advantage, so as to enable them to do without this accommodation or temporary aid. By this mode money to any amount may be raised, according to the circumstances and situation of the borrower, at about seven per cent., the object of which is trifling, when compared to the advantage a man of business may receive from being furnished with plenty of money to speculate and trade with."

The eightpence in the pound spoken of as being required to be transmitted, and not unfrequently bills to which the poor dupes were induced to put their signatures, were invariably disposed of by the London negotiator, who failed not to reap the profit himself, which he professed generously to give to his country agents.

The conclusion of this document is equally well worth perusal with its commencement, and serves at once to stamp our hero as the very prince and leader of all swindlers.

"He must be a bad merchant, tradesman, or agriculturist," says Coster, "who cannot always make from fifteen to twenty per cent. of money. Some persons, for want of knowing this system of raising money, are obliged to sacrifice their property by locking it up in mortgages for one half its value, and spend the other half in paying solicitors' enormous bills, and expenses of mortgage deeds, &c. We have particularly to observe, that the parties

Digitized by Google

pay all expenses of postage, to and from, also bill stamps, and our net commission of eightpence in the pound, which commission, with money for stamps, &c. must be remitted before we send the bills. We also have respectable references from the parties, before we accommodate them, to some of their friends in London (if any), otherwise in the country (the strictest secrecy and delicacy being observed in the inquiry), to know if they are really respectable, and an acknowledgement or undertaking when they receive such bills of accommodation, stating that they received them for the express purpose, and will pay them when due. When any bills become due, if the money is remitted to us, or goods equivalent thereto, a day or two beforehand, we will at all times pay them here, without any extra charge whatever; and for any money which may be entrusted to our care, if the parties have not friends here, for taking up the bills when due, or any goods that may be consigned to us for sale, on commission, we can give security and references on our part of the highest respectability."

An instance of his success under this circular may not be uninteresting.

A farmer in Essex, taken off his guard by the apparent plausibility of this high-sounding circular, complied with the requisitions, and got bills accepted by Coster, in the name of one of his firms, to the amount of two hundred pounds, in two bills, at three and four months. When the became due, the honest hood-winked bumpkin, relying on the apparent integrity of the party, remitted a hundred pounds, the amount of the bill, which fell with the nicest precision into the hands of the swindler, who, indeed, anticipated nothing less. This circumstance only got wind through the medium of a lawyer's letter to the drawer, who hastened with all possible expedition to town to learn the cause of such an unexpected application, when, as he had assured himself, the bill ought to have been in the hands of his accommodating friends, for the hundred pound equivalent which he had punctually forwarded to them for that purpose. His astonishment, however, was not diminished on his reaching Little Winchester-street, when he was plumply told by Coster himself that no such letter as the one to which he alluded, containing the money, had been received, and, in short, that it was all "a humbug." "That the firm of Young and Company, the acceptors of the bill, had recently been bankrupts, and had gone away, the Lord knew where." At such tidings, the poor farmer looked as sheepish as an Essex calf; and finding all his applications accompanied with the same uncompromising negative, he was glad, to prevent an exposure of circumstances, which might have been the means of ruining him, to beat a retreat to his native place; not, however, without the reflection of having purchased a hundred pounds' worth of common sense to direct his future conduct in the bill line.

This, however, is far from being a solitary instance of the success of our hero's schemes, or the uncompromising impudence and determination with which he proceeded in his machinations.

The variety of the names and residences of the firms of which he was the sole proprietor enabled him to carry on his trade with great plausibility and success. Thus, when a transaction was to be carried on by Messrs. Young and Co. of Little Winchester-street, Messrs. Brown and Co. of Cushion-court would be perfectly able to speak in the highest terms of the respectability of that firm, and the delivery of goods, or the handing over of bills of exchange to be discounted, as the case might be, was looked upon

Digitized by Google

as being secure, and as being perfectly warranted, by the reference. It would be as useless as impossible to go through one tithe of the speculations of this vagabond, by which he gulled various persons engaged in trade. In one case he obtained the whole stock of a celebrated wine-grower in Germany, who was about to sell off, to be consigned to him; in another he procured the possession of a very large quantity of Dublin stout; while, in a third, he became the consignee of a valuable stock of timber; in neither of which transactions, however, did he ever pay one shilling of the purchase money. The number of his *aliases*, and the impossibility of identifying his person, secured him from the consequences of arrest; for in no transaction in which he engaged did he ever appear personally to complete the terms of his contract, or to give any security for re-payment. All was done through the medium of agents, whom he had bound to him by some tie of more than ordinary firmness, and who acted either as principal or agent, as purchaser or referee, as the necessities of the case might require their employment. To these persons, who were mostly decayed tradesmen, he behaved with little generosity. They were retained at salaries varying from ten to twenty shillings per week, according to the extent of their usefulness; and he scrupled not, whenever an opportunity presented itself, to cheat them of their stipulated share of the plunder which he might procure. At the time of his apprehension, Coster had four of these persons in his employment, one of whom, named Smith, had long been in his service, and was now destined to become his dupe, and to be liable to the same amount of punishment as his master.

It is to Alderman Sir Peter Laurie, and to his indefatigable exertions, that the public are indebted for the riddance of the city of this notorious swindler. Sir Peter had long been aware of his existence, and of the mischiefs which he produced, and the frauds which he committed, and he determined to suffer no exertion of his to be spared to secure his apprehension and conviction. He soon discovered his residence in New-street, and had him taken into custody, with his man Smith. Coster, it appears, had not latterly confined his business to the ordinary routine of swindling by procuring goods under pretence of the solvency of his firm, but he had added to it that of putting off forged notes. In the month of February 1833, he and Smith wrote letters to a person named Clarke, residing at Honiton, in Devonshire, desiring him to transmit a quantity of lace to Mr. W. Jackson, at No. 84, Bishopsgate-street (the Four Swans), and inclosing three 10*l.* notes to pay for it. Mr. Clarke discovered that the notes were forged, and transmitted them to the Bank of England solicitor (Mr. Freshfield), with an account of the manner in which they had reached his hands. A scheme was determined to be put in operation to secure Mr. Jackson, whoever he might be, and fictitious parcels were made up and sent to the Four Swans, purporting to be transmitted from Honiton. Smith applied to receive them, and they were handed over to him, upon which he was immediately taken into custody. Coster was soon after discovered to be at the head of the transaction and was also secured, and the letter containing the notes was found to be in his handwriting.

After undergoing several examinations at the Mansion House, the prisoners were committed to Newgate for trial; and on Tuesday, the 16th of April 1833, were convicted at the Old Bailey. This result to the investigation was principally secured by the testimony of two men, who had

Digitized by Google

formerly been instruments in the hands of Coster, and who gave an extraordinary account of the success of the schemes of their late master.

At the conclusion of the same sessions Coster was sentenced to be transported for life; but his servant, Smith, was unable to attend the court, in consequence of severe ill health, and his judgment was respited. At a subsequent period, however, he also received sentence of transportation.

JOB COX.

TRANSPORTED FOR LETTER-STEALING.

THE offence of which this young man was convicted, at the time of its commission subjected its perpetrator to capital punishment. The particular case is not remarkable for any peculiarity, but it is fit that it should be mentioned in connexion with the observations made in allusion to the conduct of the learned recorder of the city of London, with reference to his neglect of the highly important duties entrusted to him. In the case of Hunton, who was convicted of forgery, it will be seen that the recorder, by a delay in conveying the result of his report upon the cases of capital felons to his majesty, suffered several wretched prisoners to remain in suspense as to their fate for many hours longer than was necessary. In the present instance, he actually signed a warrant for the execution of the convict, although at the privy council it had been determined that the life of the unhappy wretch should be spared.

Cox was a postman in the service of the General Post Office, and in the instance in which he was charged with abstracting a letter from those entrusted to him for delivery, and appropriating its contents to his own use, it appeared that on the 18th of March 1833, a Mr. Foreman, of No. 101, Grafton-street, Dublin, had sent a letter containing a 10*l.* bank note, addressed to his brother, Mr. H. Foreman, in Queen-street, Clerkenwell, which, however, never reached its destination. Inquiry being made at the post-office, Cox was found to have signed a book in the ordinary way as having received the letter, and it was subsequently ascertained that he had paid the same note to Mr. Lott, a publican in Lambeth, who had given him change for it. There were reasons to believe that Cox had been guilty of other offences of a similar character, and he was taken into custody.

At the ensuing sessions at the Old Bailey, held in the month of May 1833, the prisoner was tried and convicted of the offence imputed to him; and, on the 20th of the month he received sentence of death, in obedience to the requisites of the act of parliament.

At this time it was the practice of the recorder of London to report to his majesty in council the cases of the various prisoners in custody upon whom sentence of death had been passed. The case of Cox was reported, with others, as usual, and upon the return of the learned recorder to London, he caused it to be made known to the prisoner, that his execution was directed to take place. The unhappy wretch had looked forward with confidence to the result of the exertions of his friends in his favour, and received this intelligence with deep dismay. He was told to prepare for

Digitized by Google

death, and the reverend ordinary of the jail proceeded to pay to him those attentions usually expected at his hands.

A blunder of a most extraordinary nature, however, was soon discovered to have been made. This discovery is thus described in a newspaper of Sunday, the 23rd of June:—

"On Thursday morning, Sir Thomas Denman, lord chief justice of the King's Bench, on casting his eyes on a newspaper, saw the paragraph representing the fact that Job Cox was ordered for execution on Tuesday. His lordship thought the statement had been published from false information, and he adverted to the circumstance in the presence of one of the under-sheriffs, as of a very mischievous nature. The under-sheriff, in some surprise, observed to his lordship that the paragraph was correct—that the recorder's warrant had been received on Wednesday evening, at half-past six o'clock, at Newgate—that the intelligence had been communicated to the unfortunate culprit—and that notices had been sent to the sheriffs and the other officials. 'What (said Sir Thomas Denman), Cox ordered for execution! Impossible! I was myself one of the privy council present when the report was made, and I know that no warrant for the execution of any one was ordered. Cox was ordered to be placed in solitary confinement, and to be kept to hard labour, previously to his being transported for life, to which penalty the judgment to die was commuted.'

"The under-sheriff repeated the extraordinary information to his lordship, who instantly requested that he would forthwith apply at the secretary of state's office, when he would be re-assured of the fact, and receive an order in contradiction of the learned recorder's warrant. It is needless to say, that the under-sheriff, who was very glad to be the bearer of such good tidings to a poor unhappy fellow-creature, very speedily executed his mission. He found that the correction of Sir Thomas Denman was accurate, according to Mr. Capper's books, in which the allotted punishment was regularly entered; and Lord Melbourne, immediately upon being informed of the mistake under which they laboured at Newgate, sent thither an authority to countermand the warrant with the black seal, signed 'Newman Knowlys.' Cox had just twenty-two hours previously been told, in the usual solemn way, to prepare for death; and as he had calculated largely and correctly upon the merciful character of the administration, he received the awful news as if he had been struck to the earth with lightning. The mistake, upon being mentioned to him, it is unnecessary to state, gave full relief to his heart."

Mr. Knowlys, who at this time filled the office of recorder, was immediately called upon to explain to the Common Hall of the City of London the circumstances attending the very remarkable error into which he had fallen, but having heard from him whatever excuse he had to urge, on Monday 24th of June, they came to the following resolutions:—

"Resolved unanimously, That this Common Hall has learnt with feelings of the deepest horror and regret, that the life of Job Cox, a convict under sentence of death in Newgate, had well-nigh been sacrificed by the act of the recorder of London, in sending down a warrant for his execution, notwithstanding his majesty in privy council had, in the gracious exercise of his royal prerogative of mercy, been pleased to commute his sentence for an inferior punishment.

"Resolved unanimously, That the mildest and most charitable construc-

Digitized by Google

tion which this Common Hall can put upon this conduct of the recorder is, that it was the result of some mental infirmity incident to his advanced age; but contemplating with alarm the dreadful consequences which, though happily averted in the present instance, may possibly ensue from such an infirmity in that important public functionary, this Common Hall feels it an imperative duty to record the solemn expression of its opinion, that the recorder ought forthwith to retire from an office, the vitally important duties of which he is, from whatever cause, incompetent to discharge."

The recorder, who was present, was received with deep groans. The resolutions of the Common Hall were followed by a Resolution of the Court of Aldermen, announcing the receipt of a communication from the recorder, that from his advanced age, ill-health, and debility consequent upon a late very severe fit of illness, he had felt himself bound, after serving the city for more than forty-seven years, upwards of thirty as common-serjeant and recorder, to resign the office of recorder.

The Hon. C. Ewan Law, son of the late Lord Ellenborough, was subsequently elected to fill the office which Mr. Knowlys had occupied, and the duties of which he has ably discharged up to the present period.

The useless form of reporting the cases of felons sentenced to death has since been removed, and the capital penalty in cases of letter-stealing has also been taken away, and the less severe punishment of transportation substituted for it.

THE CALTHORPE-STREET RIOT.

This affair, which produced much bitterness of feeling between the people and the Metropolitan Police, occurred on Monday the 13th of May 1833. For some time before, the streets of London had been placarded with bills announcing the intention of certain parties to hold a meeting in a place called the Calthorpe Estate, at the back of the Cold Bath Fields Prison, its professed object being to adopt measures preparatory to a National Convention being held; and in consequence, a government proclamation was issued, declaring a meeting for that purpose to be illegal, and warning all persons to abstain from attending it or taking any part in its proceedings.

This proclamation, there is little doubt, tended in a very material degree to produce the very evil which it was intended to repress. The intention to hold the meeting was little known, for the party by which it was called was an obscure though violent political sect; but the effect of the government notification was to excite the curiosity of many who were driven to the spot, to which otherwise they would have had no attraction, for the purpose of witnessing whatever might take place. Precautions were taken by the government to secure the public peace, which, had they been adopted in a proper spirit, would have been most praiseworthy. The very consequence, however, of the extensive preparations which were made, was to attract fresh curiosity, and to draw new observers to the scene of the proposed meeting.

The assemblage was appointed to take place at two o'clock; but long before that hour several hundreds of persons had collected upon the spot indicated as the place of convocation. Groups of idlers were to be observed

Digitized by Google

dispersed in different directions, among which women and children were intermingled to a very considerable extent; and there were not wanting among them the partisans of the disaffected, to amuse them with declamations on the sufferings of the people, and the necessity of their taking strong measures to obtain redress.

The police force of the metropolis, in the meantime, were to be seen marching from all quarters of town towards the scene of action. Between two and three thousand men were placed on duty, all of whom were distributed at certain appointed places of rendezvous, under the orders of their superintendants and inspectors, while Viscount Melbourne, the Home Secretary, and Messrs. Rowan and Mayne, the commissioners of police, with a considerable number of police magistrates, sat as a species of council to direct their future movements, at the White Hart tavern, in Gray's Inn-lane. The formidable appearance of the police on their march created new food for curiosity, and they were followed by hundreds of persons anxious to ascertain the inducement for such an assemblage; and the numbers of the mob collected were thus every moment increased.

At one o'clock between six and seven hundred persons had assembled; and this crowd, comparatively insignificant considering the parade which had been made, kept gradually swelling until three, when a van was driven up at the end of Calthorpe-street, which a young man named Lee, who was afterwards taken into custody, mounted, together with three or four other shabby-looking persons. At almost the very moment of the van taking its station, however, the driver appeared to become alarmed, and, notwithstanding the entreaties of Lee and his companions, drove off. Mr. Lee and the others were in consequence compelled to quit their intended rostrum, and to adopt one somewhat less convenient, namely, a paling which stood on the spot. Lee was soon raised upon this new pulpit, and after a few prefatory remarks, he proposed that Mr. Mee should take the chair. It had been stated that, "The National Union of the Working Classes," a society of men bound together for the purpose of procuring the achievement of certain political objects, would attend the meeting; and their committee was known to be assembled at a neighbouring public-house, called "The Union," engaged in arranging the programme of the proceedings of the day. Mr. Mee was recognised as an active member of the Union, and he was immediately elected by acclamation as chairman.

Mr. Mee then got upon the paling, and after thanking the meeting for the honour which they had conferred upon him, proceeded to address them upon the objects with which they had been called together. He declared that he was thankful to the ministry for having given the meeting an air of importance, which, but for their proceedings it would have wanted; but the question which they had to consider was, whether, as they had met under such disadvantages as surrounded them they should go on, or whether they should adjourn to a more favourable opportunity? (Cries of "No, no! go on!") He was, he said, but a working man with a family, and if they were not prepared to give his family one-tenth of their earnings they should not cry "go on." He might fall a martyr in the cause, and in that case, he should expect his family to be supported. (Cries of "Yes! yes!")

The "Union," which had been expected every moment, and for which an anxious look-out was maintained, at this time appeared in sight. The pro-

Digitized by Google

cession, into which it was formed, consisted of about one hundred and fifty persons, and they carried among them eight banners. The most conspicuous of these was one which bore the motto, "Liberty or Death," with a skull and cross-bones on a black ground with a red border: others bore mottoes of "Holy Alliance of the Working Classes;" "Equal Rights and Equal Justice;" while there were also to be seen among them a tri-coloured flag, the flag of the American republic, and a pole bearing at its head the Cap of Liberty. The procession with these ensigns walked in good order to the spot at which the speakers had assembled; but they had scarcely taken up their position, when a body of police marched into Calthorpe-street with the greatest order and precision. Their formidable appearance seemed to make a momentary impression on the mob, but a person pointing to the flag bearing the motto, "Liberty or Death," cried out, "Men, be firm!" and shouts of "Go on! go on!" instantly resounded from all sides. The police had now reached the middle of the street, the crowd clearing the way for them to advance; and staves in hand they pressed forward to a man who was still addressing the mob. As they advanced near what may be termed the platform, however, they met with much resistance; a conflict ensued, and under circumstances respecting which the evidence was of the most contradictory nature, one policeman, named Robert Cully, No. 95 of the C division, received a mortal wound from a dagger and died instantly; and two others, Serjeant Brooks of the C division, and constable Redwood of the C division, were wounded, with the same or a similar instrument.

In the course of the afternoon a great number of persons were taken into custody, who had been observed to be active in the proceedings of the day, and all the flags were captured; and by six o'clock the whole of the mob had been dispersed, and quiet was restored.

Pursuant to the instructions of Viscount Melbourne, the prisoners who had been secured were taken to Bow-street on the same evening to be examined before Sir F. A. Roe, the chief magistrate. The whole street was filled with persons interested in the fate of the prisoners, and the proceedings excited a vast degree of interest. The result of the examinations taken on that night was the remand of a person named Robert Tilly, on suspicion of having been concerned in the murder of Cully, a charge, however, which subsequently proved unfounded; and of a man named Fursey, on the charge of stabbing Redwood and Brooks; while a great number of others were held to bail, or fined for the various offences of assault, or rioting, preferred against them.

On Thursday, Fursey was fully committed on the capital charge of stabbing Redwood and Brooks; and on the next day, a true bill was returned against him by the Grand Jury.

On Wednesday, May the 15th, an inquest was held before Mr. Stirling, the coroner for Middlesex, on the body of Cully. The investigation lasted for several days, and the inquest-room and the neighbourhood of the house where the jury sat, were crowded by persons interested in the proceedings. A great number of witnesses were examined, many of whom declared, that the police had acted towards the people with unwarrantable harshness, striking and beating them with their truncheons; making no distinction between active parties in the meeting and defenceless women, but conducting themselves with equal and undue severity towards all; and that they

Digitized by Google

had been guilty of this misconduct without any provocation being offered. On the other hand, it was sworn, that the mob were violent, and that many of them were armed with formidable weapons. Truncheons loaded with lead were used by them in striking the police, and the pikes upon which their banners were mounted were headed with iron, in obedience to instructions published by Colonel Maceroni, which were contained in a book called "Defensive Instructions for the People." It was admitted, however, that there was no disposition to riot among the people until the arrival of the police; that neither the riot act nor the government proclamation was read; and further it was proved, that the deceased had struck the man who wounded him before the wound was given. In reference to this part of the case, indeed, there was considerable contradiction in the evidence, for one witness distinctly swore that the deceased was speaking to her, and desiring her to go home, when a man suddenly rushed from the mob and stabbed him; and grave and important doubts appeared to exist as to the proper result to be arrived at. At the conclusion of the inquest on Monday, May the 20th, the jury returned the following verdict:—"We find a verdict of JUSTIFIABLE HOMICIDE on these grounds: that no riot act was read, nor any proclamation advising the people to disperse; that the government did not take the proper precautions to prevent the meeting from assembling, and that the conduct of the police was ferocious, brutal, and unprovoked by the people; and we moreover express our anxious hope that the government will in future take better precautions to prevent the recurrence of such disgraceful transactions in the metropolis."

The announcement of this finding was received with immense cheering among the people assembled, but not without remonstrance on the part of the coroner. He urged the jury to reconsider their decision, but with obstinate pertinacity they refused to alter the determination to which they had arrived.

The verdict was, however, declared by the law officers of the crown to be at variance with law, and with the evidence on which it was founded; and on Thursday, May the 30th, upon the motion of the attorney-general in the Court of King's Bench, the inquisition was quashed.

On Thursday, July the 4th, the trial of George Fursey took place at the Old Bailey. He was indicted for having riotously and tumultuously assembled at Cold Bath Fields, on the 13th of May, with five hundred others, and with having assaulted and wounded Sergeant Brooks, and Redwood, the constable, with intent to murder them.

The evidence by which it was sought to bring home the charge to the prisoner was first the positive declarations of Brooks and Redwood, that the prisoner was the man who had stabbed them, and secondly, the allegation by a man named Hayles, a constable, that after the prisoner had been apprehended, he was conveyed to a stable, where he and Tilley were confined together. They lay down on some straw; and when they had been removed to a lock-up house, the witness found on the spot where they had lain, a loaded pistol and a powder-flask, which Tilley had acknowledged belonged to him, and also a short dagger apparently made out of a foil blade, which was alleged by Redwood and Brooks to be exactly similar to that with which they had been stabbed, and which besides was found to correspond in shape with the wounds which they had received. Here, as well as before the coroner's jury, there was much contradictory evidence

Digitized by Google

as to the conduct of the police. Many witnesses were called for the defence, who described their demeanour as having been extremely violent, and who said that they saw them strike many persons whose proceedings had not rendered such a course justifiable. The trial lasted until two o'clock in the morning, the defence being conducted by Messrs. C. Phillips and Clarkson; and Mr. Justice Gazelee having summed up, the jury pronounced the prisoner "Not Guilty." This determination was received with loud demonstrations of applause by the people assembled within and outside the court, which the judges and officers in vain attempted to repress.

Much ill-feeling was produced by this unfortunate affair towards the police and the government. The police at their establishment had been exceedingly unpopular, from the military constitution of the force; but their usefulness had now begun to counterbalance the feeling which had so unfavourably prevailed. Their conduct at the Calthorpe-street riot did much to make them hateful to the lower orders, who were unable to draw the distinction between the intemperance of a few, and the usefulness of the main body. The conduct of the mob can be justified only by the attack which it is clear was made upon them; but the act of murder, and the attempt made to kill or disable Brooks and Redwood, are offences which appear to have been quite unwarranted by the circumstances which preceded them.

Fursey, after his trial, recovered 40*l.* damages against the proprietor of "The Morning Chronicle" newspaper, for publishing a libel, imputing to him the murder of Cully. Tilley, whose name has been mentioned, was liberated on bail, on Fursey's acquittal taking place, the charge against him, as has been already said, being found to be without foundation.

JOHN CROFTS.

TRANSPORTED FOR BURGLARY.

THE circumstances of the apprehension of this fellow are so singular that they deserve to be recorded.

On the 8th of February 1834, he was indicted at the Surrey sessions for entering the house of a poor widow woman at Cheddington, in the county of Surrey, and stealing therefrom all the little property she was possessed of in the world. The trial of the prisoner excited a considerable degree of interest. On the day mentioned in the indictment, the prosecutrix having occasion to go to the next village, locked up her cottage, leaving nobody at home. On her return, in a few hours afterwards, she was alarmed, on her approach, to see a man in the act of leaving the cottage, carrying a large bundle in his arms. The man, on perceiving her, made a precipitate retreat towards a wood in the vicinity of the place, and was soon out of sight. The widow remained almost motionless through fright while this was passing, when, at length, she walked towards her cottage door, which was open, and on entering the dwelling, she found that it had been ransacked of every thing of a portable nature that it contained. Her distress on this discovery was excessive; and in her anguish of mind, she rushed out of the cottage into the road, uttering loud lamentations. At this critical moment a pack of hounds, in full cry after a fox, happened to be passing

Digitized by Google

that way, followed by Colonel Wyndham, Colonel Vandeleur, and several gentlemen of the county. The moment the sportsmen beheld the widow they made a dead stop to inquire the cause of her sorrow, leaving the dogs unattended in their pursuit after reynard. In a few broken sentences, which were rendered almost inaudible by grief, she told what had occurred, and, pointing to the wood, said that she saw the thief disappear a short time before in the thicket. Colonel Wyndham immediately suggested that the wood should be beat up, to try if the thief had not taken cover there—a proposition which met with the unequivocal approbation of the whole of the sportsmen. Arrangements were then made for securing the thief if he had taken refuge in the wood, which was surrounded in such a manner as to render escape impracticable, while Colonel Vandeleur, accompanied by the two whippers-in, entered the thicket for the purpose of beating up for the game they had in view. The whippers-in had not proceeded far when they discovered the prisoner squatted in the bushes, and the bundle containing the whole of the widow's little property close beside him. He was led from his place of concealment in triumph by Colonel Vandeleur; while shouts rent the air from those who were stationed on the outskirts of the wood, and who had placed themselves under the command of Colonel Wyndham, to cut off the retreat, in case one should have been attempted. The prisoner was then conveyed to the widow's house; and when the bundle containing her all was produced, she manifested the greatest joy, giving utterance to expressions of thanks to the gentlemen through whose exertions in her behalf her property had been restored, and the thief secured. In the course of the examination of the various articles taken by the prisoner on the occasion, the widow complained, in doleful accents, that she missed the wedding-ring of her poor dear first husband. Colonel Vandeleur, on hearing this, undertook the office of constable, and immediately proceeded to "rub down" (search) the accused, when, to the delight of the widow's eyes, he discovered the ring wrapped up in paper, in which it had remained for years, concealed in the prisoner's waistcoat pocket.

Colonel Wyndham and Colonel Vandeleur gave their evidence on the trial, and both those gallant officers said that the loss of their day's sport after the fox was fully compensated in being instrumental to the apprehension of the robber of the widow's little property.

The jury found the prisoner "Guilty;" and the chairman, after commenting on the aggravated circumstances under which the robbery was committed, sentenced him to be transported for life.

The prisoner was a stout, hardy fellow, but was unknown in the neighbourhood of the scene of his offence.

Digitized by Google

JAMES LOVELACE, AND OTHERS; "THE DORCHESTER LABOURERS."

TRANSPORTED FOR ADMINISTERING UNLAWFUL OATHS.

In the instance of the riot in Calthorpe-street, reference has been made to a combination or union of the working classes, confederated for the purpose of securing certain political objects. The system of "Unions," which was commenced in the metropolis, and the larger towns of the kingdom, was not, however, confined exclusively to those thickly populated districts, nor were the objects of these societies limited to those which were merely of a political nature. In various parts of the country associations were formed with a view of maintaining the prices of labour, and with other objects more especially connected with the social welfare of the community.

The case of the Dorchester labourers is one which has attracted a vast degree of general observation and attention. The evil effects of the system may be collected from the following statement of the charges preferred against them, at the Dorchester assizes, on the 17th of March, 1834, and of the facts which were proved in evidence upon their trial.

The names of the prisoners were—James Lovelace, George Lovelace, Thomas Stanfield, John Stanfield, James Hammet, and James Brine, and they were indicted for "administering and causing to be administered, and aiding and assisting, and being present at, and consenting to administer, a certain unlawful oath and engagement, purporting to bind the person taking the same not to inform or give evidence against any associate or other person charged with any unlawful combination, and not to reveal or discover any such unlawful combination, or any illegal act done or to be done, and not to discover any illegal oath which might be taken."—Mr. Gambier stated that the charge against the prisoners was, that on a certain day in December, they, all together, or one of them, administered an unlawful oath to a person of the name of Legg, for the purpose of binding the party to whom it was administered not to disclose any illegal combination which had been formed, and not to inform or give evidence against any person associated with them, and not to reveal any unlawful oath which might be taken. The first part of the charge was, that the purport of the oath was to bind the party to obey the orders of a body of men not lawfully constituted. The indictment was framed on an Act of the 37th George III., cap. 123, and his lordship would be aware that the preamble of that act related to seditious meetings, but the enacting part was of a more general nature, including confederacies not formed merely for seditious purposes, but for any illegal purpose whatever; and his lordship would be aware, that there was an authority which had decided that the enacting part of the statute was not restrained by the preamble, but extended to all societies the object of which was unlawful. One clause of the act related to oaths administered for the purpose of binding a party not to reveal an unlawful combination. The allegation in the indictment was, that the prisoners administered an illegal oath to certain persons, binding them not to disclose an illegal confederacy. It would be for them to see whether the facts bore out the conclusion to which he had come, that a combination formed under

Digitized by Google

Unionists being initiated.

1834

London Published by Thomas Tegg Cheapside

Digitized by Google

Digitized by Google

the circumstances that would be stated, was a combination which the law had pronounced to be illegal, and would depend on this—whether any member was required to take any oath of this description, or any oath which the law did not require or authorise. He should, therefore, show that the combination was illegal—that it was the practice of the association to administer oaths, and that they were administered, and that the members were bound to obey the commands of men not legally constituted, and that they were bound to secrecy. With regard to the form of the oath and the mode of administering it, it was proper he should call his lordship's attention to the 5th section of the 37th George III., cap. 123, which provided that any engagement in the nature of an oath should be deemed an oath within the meaning of the act in whatever form or manner the same should be administered.

The learned counsel then proceeded to state the facts of the case to the jury, and to call his witnesses, from whose evidence it appeared that the prisoners were agricultural labourers, and that on the day stated in the indictment Legg and others were conducted to the house of Thomas Stanfield, at Tollpuddle, and after waiting a short time, were blindfolded and taken into a room, when certain papers were read over to them while on their knees; on the bandage being taken from their eyes, they saw the figure of a skeleton, with the words "Remember your end," written over it. They were then sworn to obey the rules and regulations of the society, and not to divulge its secrets or proceedings. They were to pay a shilling on entrance, and a penny a week afterwards, to support the men who were out of work (those who had struck) till their masters raised their wages. The defendants were all present, and Lovelace wore a dress like a surplice. The general laws of the society were produced and read to the jury, from which it was collected that the society was to be called "The Friendly Society of Agricultural Labourers." Regular officers and periods of meeting were appointed, and the mode of making collections pointed out. The twentieth and twenty-first rules were as follows:—"That if any master attempts to reduce the wages of his workmen, if they are members of this order they shall instantly communicate the same to the corresponding secretary, in order that they may receive the support of the grand lodge; and in the mean time they shall use their utmost endeavours to finish the work they may have in hand, if any, and shall assist each other so that they may all leave the place together, and with as much promptitude as possible."—"That if any member of this society renders himself obnoxious to his employer solely on account of taking an active part in the affairs of this order, and if guilty of no violation or insult to his master, and shall be discharged from his employment solely in consequence thereof, either before or after the turn-out, then the whole body of men at that place shall instantly leave the place, and no member of this society shall be allowed to take work at that place until such member be reinstated in his situation."

After the counsel for the defendants had addressed the court and the jury, contending that no offence had been proved, the judge summed up, enforcing on the jury that they must satisfy themselves as to the illegality of the oath which Legg had taken, and which had been administered to other members of the society. The precise formality of the oath, his lordship observed, was not under inquiry; but the Act of Parliament referred

Digitized by Google

to an oath fixing an obligation on a party to whom it is administered. To sustain and prove this charge, the jury must be satisfied that the oath administered to Legg was to bind him not to divulge the secrets of the society; if so, it came within the meaning of the act. It was also a question whether the dress of James Lovelace, which resembled a clergyman's surplice, was not intended to give a degree of solemnity and additional force to the proceedings. The representation of a skeleton seemed also to have been intended to strike awe on the minds of the persons to whom the oath was administered. In taking the oath, if they were satisfied that it was intended as an obligation on the conscience of the person taking it, it clearly came within the meaning of the act. His lordship proceeded to remark on the rules of the society, which spoke of the violation of an obligation, evidently referring to the oath which was administered by the prisoners; and that such violation would be deemed by the society a crime. His lordship also read from a book belonging to the society the names of several persons (the prisoners among others), who had contributed to its funds; leaving the jury to draw their conclusions from these facts, and the whole chain of evidence which had been repeated to them.—The jury, after about five minutes' consultation, found all the prisoners "Guilty," and they were sentenced to be transported for seven years.

In pursuance of this sentence the prisoners were subsequently conveyed to New South Wales by the Surrey transport ship, the offence of which they had been convicted being deemed to be of a nature so heinous, as not to be expiated by an imprisonment in this country. This proceeding by the political supporters of the system of unions, was looked upon as one which was exceedingly harsh and unjustifiable under the circumstances of the case, and loud and repeated remonstrances were made, both within and without the walls of parliament, against it. For a considerable time the government declared its unwillingness to interfere to direct any amelioration in the punishment directed to be inflicted upon the offenders; but at length, however, they yielded to the constant exertions of the friends of the prisoners, and granted a free pardon to them all.

At the commencement of the year 1838, those who had chosen to return to England were landed at Plymouth—several of them, however, having preferred to remain in the colony to which they had been transported. An attempt was made to excite great sympathy in their behalf, and a species of public entry was made by them into London; but the whole affair turned out a failure, and the good sense of the general order of people was found to have indnced a feeling not altogether in accordance with a supposition that these men had been martyrs.

ALFRED RAE.

CONVICTED OF A CRIMINAL ASSAULT.

This person, at the date of his trial, was a youth who had just attained the age of fifteen years only. He appeared to have been well brought up, and to have received a good education; but no effort could induce him to divulge the residence of his parents, or of any person with whom he was connected, or indeed to give any account of himself. He was a stout, well-

Digitized by Google

made lad, and appeared to possess a degree of strength beyond his years. His offence undoubtedly is one of a most extraordinary description.

He was indicted at the Launceston assizes on Tuesday, the 1st of April 1834, for having assaulted Grace Brenn, with intent to commit a rape.

The prosecutrix appeared in court to give evidence. She was apparently in a state of extreme suffering. She stated herself to be a widow with two children, and to be thirty-one years of age. Her appearance denoted her to be of a delicate constitution, and gained for her much sympathy. Her evidence was to the following effect:—

She occupied a small cottage at a place called Botusfleming, near Launceston, which consisted of only three rooms—a front and back kitchen, and an upper apartment, to which access was had by a staircase leading from the latter. On the evening of Tuesday, the 11th of March, she was on the point of retiring to rest, at half-past nine o'clock, when she heard a knock at the door. She demanded who was there, and some one from without answered, "A boy—a lad," and said that he had lost his way. She was induced, by his representations of his distress, to open the door, and then, on her seeing him, she recognised him as having called at her house three weeks before to enquire his way to Corgreen. On his being admitted he at once assumed an authoritative air, locked the door and pocketed the key, and declared his intention to stop there that night. He called for tea and bread and butter, which were supplied by the witness, who was in a dreadful state of alarm, and then demanded that a bed should be brought for his use into the sitting-room. This, after some remonstrance, she consented to do, and then she retired to her own room, where, retaining all her clothes but her gown upon her person, she lay down by the side of her little boy. Unable to sleep, after a while she was alarmed to hear the prisoner suddenly ascend the stairs, and immediately afterwards he rushed into her room, to the side of the bed where her little girl lay. He took up the girl and flung her to the bottom of the bed, and in a moment threw himself across the bed, and laid hold of witness by the head. She exclaimed, "Good God, what have I done?" and got his hands off her head, and continued screeching. [Here followed evidence of the brutality of the prisoner, developing a series of the most shocking expressions and brutish attempts on the witness. Thrice he thrust a handkerchief in her mouth, to prevent her cries; repeatedly knocked her down across the bed and on the floor; the witness stating explicitly acts, the evidence of which was conclusive of the attempt, and all but accomplishment of his diabolical purpose. The prisoner had nothing on but his shirt at the time of the attack]. The witness at length succeeded in gaining the staircase, down which she rushed, when the prisoner, leaning over the rail of the stair-head, laid hold of her hair, by which he attempted to pull her up stairs again. Her hair gave way, and she fell through the staircase-door, at the bottom of the stairs. She got up and tried the front door, but the key was taken away. The prisoner had by this time also come down stairs, and he repeated the violence of which he had before been guilty. He swore that he had razors and pistols with him and would murder her, and he attacked her with the most brutal ferocity with a fire-shovel, with which he wounded her many times on the head and face "All his aim now was," said the witness, "to murder me. He said he passed by the door a few nights ago, with three more of the gang. I said,

Digitized by Google

'Spare me my life for the sake of my dear little fatherless children.' He said, 'Will you promise me never to split, or to divulge, or to make it known?' I said, 'No, sir, I never will.' He said, 'I must put you upon your oath; if you divulge, and I am taken up and punished, the others will soon do for you; are you agreeable?' I said, 'Yes; anything to save my life.' He said he should be put to death himself by his gang. He said he never went through but one such case before, and then his life was a narrow escape to him, or something to that effect. I fell upon my knees, and he said the words over that I was to say. I cannot recollect them exactly, but the last were 'Holy Ghost.' I then thought he was going to spare my life. There was blood upon the floor. He said to me, 'You must wash yourself.' I said 'Yes, sir.' He said, 'You must, for you are all over blood.' I said, 'I will get some water,' and I took a basin, but he said he would get the water. He went out and returned immediately; I said I would wash up the blood from the floor, as when Mr. Fitzgerald's groom came to the stable close by he might notice it. Prisoner had thrown away the water with which I had washed; I took the basin out to the pump, and lifted the handle once or twice, and then ran away to William Summerfield's; the prisoner was brought there by William Summerfield and Mr. Fitzgerald's servant; they asked me if that was the person; I exclaimed, he was the rogue. The prisoner then fell on his knees; he said, 'My dear ma'am, if you'll forgive me, I'll never do the like again.' Before I left my house, he ordered me up stairs whilst he dressed himself; he ordered me down, and I came; he took the candle and said, '*I fear I have injured you too much to spare your life.*'" Here the witness described her desperate condition, the dreadful effects of the assault. One tooth had been knocked down her throat, another broken off in the jaw, which was much swollen, her head had been cut with the shovel, her limbs much bruised by the fall over the stairs. Other hurts were also described of a nature not to be put in print.

The prosecutrix was cross-examined by counsel for the prisoner, but no part of her sad recital was invalidated.

Counsel addressed the jury on behalf of the prisoner, endeavouring to show that the youth for a time must have been possessed of a demon, or that the whole account of the prosecutrix was exaggerated, as it appeared more like a tale of fancy than an exposition of facts.

His lordship charged the jury, who, without much hesitation, returned a verdict of "Guilty," with a recommendation to mercy.

The learned judge, in delivering the sentence of two years' imprisonment and hard labour, explained that the prisoner owed his life to the courageous conduct of the prosecutrix. Had she not resisted to the life, and had he accomplished his guilty and brutal purpose, nothing could have saved him from an ignominious death.

Digitized by Google

JAMES PAGE.

TRANSPORTED FOR MALICIOUSLY WOUNDING CATTLE.

As yet we have presented our readers with no instance of the conviction of a prisoner for the offence of maiming cattle. The case of James Page is worthy of observation.

He was indicted at the Bedford assizes on Wednesday, the 16th of July 1834, for maliciously and feloniously wounding three cows and a mare, the property of Mr. William George, a farmer at Houghton Conquest, on the previous 1st of May. The prisoner was a pauper of the parish of which the prosecutor was overseer; and, having applied for relief, was set to break stones on the roads. This employment seemed to produce an ill feeling in his mind towards Mr. George, and he was heard to express his dissatisfaction. On the night of the 30th of April, Mr. George's cattle were placed in a particular field in his farm in good health and condition, but in the morning, at four o'clock, three fine cows and a mare were found to have been hamstrung, and so severely injured as to render it necessary that they should all be killed. The evidence by which this offence was brought home to the prisoner consisted of the repetition of observations made by him, subsequent to the 1st of May, in reference to the act, and the testimony of one Chappell, to whom the prisoner had proposed that he should accompany him to execute his base purpose.

The prisoner was found "Guilty," and sentenced to be transported for life.

JOHN EDWARDS, *alias* HEATH; PETER LECASSER; AND JEREMIAH WEEDON.

IMPRISONED FOR AN ASSAULT.

On Monday, the 12th of May 1834, Mr. Gee, a respectable solicitor at Bishop's Stortford, appeared before the magistrates at Lambeth-street police-office, to prefer a complaint of a most extraordinary description.

It appeared from his statement that he had been professionally retained for the estate of a gentleman named Canning, deceased, who at his death had bequeathed a life-interest in a sum of 2000*l.* to his widow, the principal of which, at her death, was directed to descend to his three children. Mr. Gee's occupation had been, under the direction of the executors of Mr. Canning's will, to invest in good securities the amount thus bequeathed, with a view to as good a rate of interest being procured upon it as was possible. A sum of 1200*l.* had been already invested, and 800*l.* only remained in his possession, which he had deposited in the hands of his bankers, Messrs. Gibson and Co., of Saffron Walden, for security. A few days before, he had received a letter signed "W. Heath," the writer of which professed his desire to have a personal communication with him in London, upon the subject of certain landed property which was for sale in the neighbourhood of Bishop's Stortford. He returned an answer, announcing his intention to visit London on that day (the 12th of May), and expressing his willingness to meet Mr. Heath in the coffee-room of the Bull Inn, Aldgate, at ten o'clock in the morning. Having received no

Digitized by Google

negative reply, he accordingly proceeded to the Bull Inn at the appointed hour, and found a young man in the garb of a sailor waiting to see him. He presented him with a letter in the same handwriting as that which had been before delivered to him, and signed with the same name, in which he was requested to accompany the bearer in a coach, which had been prepared, to the residence of the writer, who was too ill to attend the appointment which had been made, an assurance being given of a desire to afford every assistance to Mr. Gee with a view to the saving of his time. On his reading the letter he had no hesitation in complying with the wish which was expressed, and the messenger having conducted him to a coach, he immediately entered it and was driven off. The carriage proceeded along the Commercial-road, and at length drew up at the house No. 27, York-street West.

On his quitting the vehicle and entering the house, a person met him in the passage, who told him that his brother was in the kitchen at his breakfast, but suggested that he would not, perhaps, have any objection to go there to him. The door was at this moment closed and the coach driven off, and, as he was about to descend the stairs, he was suddenly seized by the man who had delivered the letter to him, and who had followed him into the house, by the man who had accosted him in the passage, and by a third person, who made his appearance from below. Alarmed at this proceeding, he made considerable resistance; but, in spite of all his exertions, he was carried into the back kitchen, and from thence into a species of cupboard, or den, where he was instantly placed upon a seat and securely fastened. A chain, fixed to staples at his back, passed round his chest, under his arms, and was padlocked on the left side; and his feet being secured with cords, were so tightly bound to rings in the floor, as to prevent the possibility of his moving them. Having been thus confined, one of the party addressed him, and representing himself as the brother of Mrs. Canning, demanded that he should immediately give him a check for the 800*l.* of her money which he had in his possession, as well as an order, upon the presentment of which he might procure the delivery to him of the bond for 1200*l.* invested for her benefit and that of her children. Now for the first time informed of the object of his assailants, he remonstrated with them upon the illegality of their proceeding, and entreated them to release him. They answered, that they were quite aware that what they had done was contrary to law, but that they were resolved to brave the consequences, and that not only would they retain him in his present situation until he had complied with the demand which they had made, but until they had actually obtained the money and the deed.

They were then about to leave him, and lock him in the horrible den in which he had been confined, where he would be left in utter darkness, when, on reflection, he became apprehensive that, if he made any attempt to give an alarm or to procure assistance they might return and murder him, and calling them back he notified, that he was willing to comply with their demands. Pen, ink, and paper, were, in consequence, brought, and he wrote a check on his bankers for 800*l.*, and a letter directed to Mr. Bell, at Newport, Essex, requesting the delivery of the deed in his possession to the bearer, for the inspection of Mrs. Canning.

The person, who had described himself as Mrs. Canning's brother, on receiving these documents immediately quitted the house, and being left by

Digitized by Google

the other men also, the door of his cage standing open, he began to meditate upon the possibility of his escape. For three hours he found every effort which he made unavailing; but at length he succeeded, by a violent exertion, in shifting the iron chain which encompassed his chest a little upwards, and in freeing his body from it. Thus at liberty he was able to reach his feet, and he soon liberated his legs from the cords by which they were confined. His only remaining effort now was to quit the house; and stealthily making his way out of the back-kitchen into the garden, he succeeded in eluding the vigilance of the two remaining men, who were at dinner in the front kitchen, and escaped over the garden-wall into an adjoining street. He instantly despatched messengers to Mr. Bell, and to Messrs. Gibson's bank, with instructions not to obey the orders which he had signed, and then made the best of his way to the police-office to describe the treatment to which he had been subjected.

Mr. Walker, the magistrate, immediately afforded Mr. Gee every assistance in his power, and despatched Lea and Shelswell, two active officers of the establishment, to York-street, in order that they might apprehend the parties concerned in this most extraordinary conspiracy. On their reaching the house, however, they found that it had been already vacated, and that it was closed. An entry was soon forced, and then they discovered that the house had evidently been taken solely for the purpose of effecting the outrage which had recently been committed in it. It was devoid of any furniture, with the exception of a few chairs in the kitchen, and a blind to the window of the same room. The den, in which Mr. Gee had been confined, was situated in the back-kitchen; it was partitioned off from the room with boards of an immense thickness and strength. Its dimensions were about five feet by three, and outside the immediate walls of the cell, and within another exterior partition, a large quantity of earth had been placed, so as effectually to prevent any sounds emitted within from escaping or being heard in any of the neighbouring houses. The interior of the cell resembled a privy in its structure, although it had evidently been built expressly for the purpose for which it had been used. There was a seat at an elevation of about two feet from the ground, and at the back, about a foot above the seat, was securely fixed a strong bar of wood to which the chain with which Mr. Gee had been confined was still suspended, in the same state as that in which he had left it. On the floor there was also another bar of wood securely fixed; and attached to this were two swivels, through which a large quantity of sash line, which had been employed in binding the feet of Mr. Gee, passed. On inquiries being made in the neighbourhood, it was learned that the occupants of the house had only entered upon its possession on the previous Saturday; and that immediately after Mr. Gee had escaped, two men were seen in the garden anxiously looking right and left, as if in search of some person, and that on their being asked what they wanted, they declared that they were in pursuit of a thief who had escaped. They were observed to leave the house immediatly afterwards.

The subsequent investigation of this singular affair induced a belief, that the person who had represented himself to Mr. Gee as the brother of Mrs. Canning, was a man named Edwards, who was blind, and who had taken the house of Mr. Wych the landlord. It was ascertained that Edwards was in the habit of visiting Mrs. Canning at her residence at No. 4, Provi-

Digitized by Google

dence-row; and after a short interval he was observed to quit that house, and was taken into custody. The apprehension of Peter Lecasser, his wife, Mary Lecasser, and Jeremiah Weedon, soon after took place, as they were about to enter the house in York-street; and the prisoners were on Tuesday morning taking before the magistrates. Mrs. Lecasser, it then appeared, was the sister of Edwards, and her husband and Weedon had been employed by him to assist him in his attack upon Mr. Gee. Edwards, it was proved, had admitted when he was taken into custody, that he had been the prime mover in this conspiracy; that he had tried by all legal means to get the money from Mr. Gee, and that having failed, he had determined upon procuring it at all hazards.

While the prisoners were under examination, a singular fact developed itself. The Rev. D. Mathias, rector of the parish of Whitechapel, recognised Edwards as having been recently married by him in the name of Heath, to a female named Elizabeth Jenkins, who, however, from the description given of Mrs. Canning, he was now induced to believe was that person. Edwards, upon being questioned, hesitated to admit the truth of this assertion, but made no attempt to deny that the statement made by Mr. Gee was correct. He made every effort to exculpate his fellow-defendants, declaring that they had been employed by him, and that he alone was to blame. Weedon, who was a smith by trade, had built the cell, and both he and Lecasser had acted entirely under his orders. He said, that he was acquainted with Mrs. Canning, and that he had become known to her about two years before, from his being recommended to her to tune her piano, an occupation which he followed for his own support.

On Wednesday the prisoners were again brought up, and on this occasion Mrs. Canning was in attendance. The three men were distinctly identified by Mr. Gee, as the parties by whom he had been assaulted; and Mrs. Canning was also recognised by Mr. Mathias, as the person whom he had united to the prisoner Edwards. This fact was, however, denied by Mrs. Canning; but after some questions had been put to her she fainted in the office, and her sister then admitted that the declaration of the clergyman was true. A reason for her denial of the fact was suggested in the circumstance, that her interest in the property left by her deceased husband terminated with her widowhood.

On the following Tuesday, the 19th of May, the prisoners, except Mrs. Lecasser, who was discharged, were fully committed to take their trial at the next Old Bailey Sessions. Their committal was made out under the provisions of statute 7 & 8 Geo. IV. c. 29, c. 6, which enacts, "That if any person rob another person of any chattel, money, or valuable security, every such offender being convicted thereof, shall suffer death as a felon. And if any person shall steal any such property from the person of another, or shall assault any other person with intent to rob him, or shall with menaces or by force, demand any such property of any other person, with intent to steal the same, every such offender shall be guilty of felony; and being convicted thereof, shall be liable, at the discretion of the court, to be transported beyond the seas for life, or for any term not less than seven years; or to be imprisoned for any term not exceeding four years; and, if male, to be once or twice publicly whipped (if the court shall think fit) in addition to such punishment."

At the Old Bailey Sessions on Monday the 12th of July, Edwards,

Digitized by Google

Weedon, and Lecasser, were put upon their trial. Mr. Lee having stated the case for the prosecution, it was argued by Mr. Phillips, on behalf of the prisoners, that the indictment which charged them with felony could not be sustained. The allegation was, that the prisoners intended to take the security for 800*l.* "from the person" of Mr. Gee, which was inconsistent with the fact. The case was on this objection stopped by Mr. Justice Patteson, who declared that the prosecution could not be sustained, and a verdict of acquittal was, in consequence, returned.

The prisoners were then indicted for demanding from Mr. Gee, with threats and menaces, a legal security for 1200*l.*; and also, an order for the payment of 100*l.*, with a view to steal the same. Mr. Adolphus having opened the case, the Court declared that this indictment was also open to objection. The prisoners were alleged to have demanded the security "with a view to" obtain it. They had actually obtained it, as it appeared, and they must be acquitted. Mr. Gee, besides, never had possession of the papers giving up the security, and as there could be no robbery where there was no possession, the indictment could not be sustained.

The prisoners were then declared "Not Guilty;" but a bill of indictment having been already found against them at the Middlesex Sessions, together with Mrs. Canning, for an assault, they were all held to bail to answer that charge.

On Friday, the 1st of August, the whole of the parties were put upon their trial at the Middlesex Sessions. The case occupied the Court until ten o'clock at night, when it terminated in a verdict of acquittal as regarded Mrs. Canning, and of guilty of the offence of conspiracy against Edwards and Weedon, and of guilty of an assault against Lecasser.

Edwards was sentenced to two years' imprisonment in Newgate; Weedon to twelve months' imprisonment in the House of Correction; and Lecasser to six months' imprisonment in the same jail.

JOSEPH MOSELEY AND WILLIAM GARSIDE.

EXECUTED FOR MURDER.

THIS remarkable murder was committed on the 3rd of January, 1831, although the strong arm of the law did not reach its guilty perpetrators until August 1834. The case is worthy of note, not only from the length of time which intervened between the murder, and the time when the murderers were discovered, but also from a remarkable dispute having arisen with regard to the execution of the criminals, and the consequent delay of the sentence passed upon them.

The murder, as we have stated, occurred at the beginning of the year 1831, a period when there was much discontent exhibited by the labouring population of England, engaged in agricultural and in manufacturing pursuits. At Ashton, and many other places in the neighbourhood of Manchester, which were thickly inhabited by cotton-spinners, and other persons employed in the various factories of that district, the feeling of distaste towards the masters was almost universal; and "unions" were formed amongst the men, who were bound by the terms of the compact into which they entered, to work only at certain prices for their labour,

Digitized by Google

which they desired to dictate to their masters, and to hold commune with no man who presumed to labour for smaller wages than those they chose to accept. Although there can be no doubt that in this case the murder which was committed by Moseley, Garside, and their companions, arose out of the prevailing system of combination amongst the workmen, it would be hard from such a fact to draw an inference, condemnatory of the whole system, and of all parties to it. Mr. Thomas Ashton, the victim of the murder, was the younger son of a master cotton-spinner at Hyde. It is remarkable that at this place little discontent was shown by the workmen, who were employed at the usual wages; but the master-spinners of Ashton justified their refusal to raise the wages of their men, upon this circumstance; and as this was known to have excited dissatisfaction among the workmen at the latter place, little doubts were entertained that they were the persons to whom the diabolical act would be traced.

The circumstances attending the murder were these:—Mr. Ashton had taken tea at his father's house at an early hour on the evening in question, and had gone to visit a newly-erected factory, about a third of a mile distant. He quitted the factory at half-past six o'clock, and his murdered remains were found on the road leading towards his father's house at eight o'clock. He had been killed by a shot through the heart; and the appearance of the body showed that the assassin must have stood close to him at the time of the murder. On his left side in front was one large wound, evidently produced by the discharge of slugs from a pistol, which had entered his body so immediately after their quitting the muzzle of the weapon as not to have had time to separate, as would have been the case had they been discharged at him from a distance. In his back were two wounds, a small distance asunder, which showed that the slugs had diverged in the body of the murdered man, and had thus passed out at his back. This event excited universal astonishment at Hyde, as well from the amiability of character of the unfortunate deceased, as from the absence of all apparent cause for the sanguinary deed; and rewards from the friends of Mr. Ashton, and from the government, amounting to 2000*l.* were immediately offered for the apprehension of the murderers, and for the evidence of any accomplice who had not actually fired the fatal shot.

Officers were despatched in all directions to endeavour to secure the offenders, but years passed ere the real authors of the diabolical crime were discovered. William Moseley, a convict in Chester jail, in the month of April 1834, disclosed the leading circumstances of the murder; and Garside and Joseph Moseley, the brother of the prisoner, its leading perpetrators, were shortly afterwards apprehended at Oldham.

On Thursday, August the 7th 1834, the prisoners were put upon their trial at the Chester assizes. William Moseley was the principal witness, but his evidence was corroborated in many important particulars. He stated that the murder had been committed at the instance of a man named Samuel Scholfield, a unionist, who gave as a reason for it, the unjust measure of wages paid by Mr. Ashton. The subject was broached by this person to them all; and for the trifling sum of ten pounds, they undertook to carry out the diabolical plot. In pursuance of the agreement, they all met near the mill belonging to Mr. Ashton, called the Woodley Mill; and stationing themselves in a quiet position, they awaited the coming of their victim. Shortly before seven o'clock, his approach was observed; and

Digitized by Google

Garside rising and advancing to him, shot him dead before he had time to utter a word, or to offer the smallest resistance to the cowardly attack made upon him. The three murderers instantly ran off, without waiting to remove the body from the middle of the road where it lay; and as we have already said, at eight o'clock it was discovered. The price of the murder was paid on the same night, the three murderers and Scholfield going on their knees, and swearing to each other, that "they wished God would strike them dead if they ever told." The oath was strictly obeyed until William Moseley, being imprisoned in Chester jail for some other crime, disclosed all he knew of the transaction. The witness was subjected to a severe cross-examination, in which he admitted that his reputation was stained by a long list of the blackest crimes. His testimony, however, received so great confirmation from the statements of other witnesses, that a verdict of "Guilty" was returned against both prisoners, and they were ordered for execution on the morning of the following Saturday.

A difficulty, however, now arose upon the subject of the proper officer, by whom this sentence was to be carried into execution. The sheriff of the County Palatine, and the sheriff of the city of Chester, each refused to perform this painful duty, upon the ground that the other was the officer to whose lot it fell. The wretched prisoners remained up to Saturday morning in suspense as to the period of their execution; and on that day Mr. Justice Parke granted a respite until the 18th of the same month, in order that the difficulty might be settled.

This delay, the cause of which was intimated to the convicts, enabled the proper officers to hold communications with them upon the subject of the offence of which they had been convicted. Both admitted their participation in the murder, but denied that Scholfield was at all implicated in the affair. Garside declared that if an offer which he had made to become a witness had been accepted, the whole truth would have been arrived at; but, as it was, they had got nothing but a parcel of lies, and he should say "note" (nothing).

On the day after the trial, William Moseley was carried to Stockport, and there, upon the information which he had given, Scholfield was taken into custody. He, however, denied the truth of the assertions which had been made of his guilt, but he was detained in custody.

On Saturday the 16th of August, the prisoners were further respited until the 18th of September; and from that date they were again respited until the commencement of Michaelmas Term, in the following November, should enable the Court of King's Bench to determine the question in dispute between the sheriffs.

On Thursday the 6th of November, the Attorney-General moved for a *certiorari*, to bring the conviction into that court, and also for writs of habeas corpus, to bring up the persons of the prisoners, with a view to the question being discussed. The learned gentleman explained the objections made by the two sheriffs. Previously to the passing of the Statute 11 Geo. IV., all complaints in the County Palatine of Chester were tried by the Chief Justice of Chester, and rules of court were made for the execution of such prisoners as were condemned to death, which orders were carried into effect by the sheriff of the city of Chester. By the act in question, the court by which this authority was exercised, was abolished, and in its stead assizes, under commissions of oyer and terminer, were

Digitized by Google

ordered to be held in Chester, as in other counties. By the sixteenth section, however, it was provided, "that nothing therein contained should affect the duties or obligations to be performed by the magistrates and citizens of Chester." In the present case, the sheriff of the city of Chester refused to execute the sentence on the prisoners, alleging that his jurisdiction in such respects extended only to the Palatine Court, which had been abolished, and that if there was any such obligation, it rested on the mayor and citizens, and not upon the sheriff. Under these circumstances, the learned judge had felt it to be his duty to respite the prisoners from time to time, and indictments had been preferred against both sheriffs, which, however, had been ignored. *Ex officio* informations would be filed against them by him (the Attorney-General) for their neglect of their duty; but as much time must elapse before the questions involved in those informations could be legally discussed, he was compelled to come to the court, with a view to the carrying into effect the sentence of the law upon the prisoners, an object which was of the highest importance. It would be in the power of the court to order the prisoners to be executed by either of the disputing sheriffs; by the sheriffs of Middlesex, or Surrey; or by their own marshal. Several cases were then cited, in which the court had interfered with regard to the execution of offenders, and the writs were granted.

On Tuesday the 11th of November, and Thursday the 13th, the prisoners were brought before the Court of King's Bench. Mr. Dunn, on behalf of Garside, contended that the court could not award sentence against that prisoner, because he had made a statement to the authorities of Cheshire with regard to the circumstances of the murder, which, by the proclamation which had been issued, offering a reward of 2000*l.* and a pardon, to any accomplice of the actual murderer, entitled him to be liberated. This fact having been pleaded by the learned gentleman, on behalf of his client, in obedience to the direction of the court, the Attorney-General was heard on the other side. He contended that the jury had distinctly found that Garside had fired the fatal shot; and that even taking the statement of the prisoner to be correct, he was not therefore entitled to his pardon.

Lord Denman held this good ground of demurrer to the plea, and execution having been prayed, the court awarded that it should be done by the marshal, assisted by the sheriff of Surrey.

The prisoners were then conveyed to the King's Bench prison, to await their death. A petition was prepared by Mr. Dunn, on behalf of Garside, setting forth the same facts which were urged by the learned gentleman in court, but it was declared to be of no avail; and on Tuesday the 25th of November, the wretched convicts expiated their foul offence on the top of Horsemonger-lane jail.

Garside had, during the latter portion of his imprisonment, striven to shift the guilt of firing the pistol upon the witness, Joseph Moseley, and it was not until the very moment of his being turned off, that he retracted this allegation. His conduct, as well as that of his fellow prisoner, during the whole period of their confinement, had been remarkable for its extreme coolness; and on the morning of their execution, their demeanor was in no way altered.

At nine o'clock in the morning the prisoners mounted the scaffold, Garside being first, and they were immediately turned off; Garside's last words

Digitized by Google

Digitized by Google

An affray between Poachers & Gamekeepers

P. 107

London Published by Thomas Tegg Cheapside

Digitized by Google

being, "All the statements that I have made at different times since my conviction are false."

At the Assizes for the County of Chester, held in the month of April, 1835, a bill of indictment was preferred against Scholfield, but it was ignored; and he was, in consequence, set at liberty.

EDWARD CHALKER AND JEREMY KEYS.

TRIED FOR MURDER.

At the Bury Assizes, on Thursday the 26th of March, 1835, Edward Chalker and Jeremy Keys, were indicted for the murder of Bryan Green, on the 22nd of November.—The unfortunate man, whose fatal end led to the inquiry, was one of the under-gamekepers of Miss Lloyd, the lady of the manor of Hintlesham; and on the night of the 22nd of November, he and a fellow-servant named Masterman, were on the watch in the great wood upon the manor, which was well stocked with pheasants; and which was separated from a smaller wood by a glade. Nothing particular occurred till half-past three in the morning, when they heard the whiz of an air-gun very near the place where they had posted themselves. The sound proceeded from the little wood, to which they immediately made their way, and on crossing the glade they saw a spotted spaniel dog and a man passing from one wood to the other. The man instantly ran into the little wood, and the keepers pursued and overtook him. He suffered himself to be taken without any struggle, but he was no sooner in hold than he gave a "signal whistle," and two other men ran to his assistance, one of them having in his hand an air-gun. The three men then assailed the two keepers, who were instantly struck to the earth, and Masterman was beaten with a club as he lay on the ground, until he became quite insensible. Green had at first threatened to shoot the men, unless they let him go unharmed; but they swore he should not escape himself, nor harm them, and presently he too was left in a state of insensibility. Upon Masterman's coming to himself, he heard Green groaning most piteously, and upon his crawling to him, he found his head in a pool of blood, which was still flowing profusely. After some time Masterman contrived to get as far as the head-keeper's house, and upon their returning to the scene of the outrage, they took the wounded man on a litter to the keeper's lodge, and sent for a surgeon. It was found, upon examining his head, that there was a wound on one side, through which the brain was escaping, and the skull was extensively fractured. A portion of the bone was pressed into the brain; upon removing this, the patient experienced some relief, and in a few hours could utter a few monosyllables; but he soon afterwards relapsed, and after fluctuating between life and death for a few days, he ceased to suffer. He had, on the night in question, a pistol and a gun with him, and upon searching on the spot on the following morning, they were found lying upon the ground. The cock of the pistol was struck down, but the pan had not risen, and the pistol, consequently, had not gone off. His gun was found with the barrel broken from the stock, and on the breech a piece of skin and hair and some blood were observed, and a recently killed pheasant and a bludgeon were lying close by.

Digitized by Google

It appeared that the prisoners were in the habit of frequenting a beer-house, called the "Fox and Grapes," at Ipswich, which was six or seven miles from Hintlesham; and a day or two before the evening in question, Chalker told a Mr. Frost, who was drinking there, that he would give him a pheasant for his Sunday's dinner. In the afternoon of the 22nd, one Upson, the village smith, went to the Fox and Grapes to repair the lock of the cellar door, and whilst he was in the cellar the landlady heard the peculiar sound which is made by discharging an air-gun; and it appeared that the prisoner, Chalker, kept his in the cellar. It was further proved that the prisoners and two other men left the house on that evening, and returned early the next morning, when some mysterious conversation was heard between them, respecting Hintlesham wood. Other corroborative facts were given in evidence, which clearly proved that Chalker had been concerned in the dreadful transaction. The evidence respecting Keys was not so conclusive. Chalker was found guilty, but Keys was acquitted.

The former received sentence of death, and was executed on the following Monday, the 30th of March.

MARY ANNE BURDOCK.

EXECUTED FOR MURDER.

GREAT excitement and extraordinary interest was created at the Bristol Assizes, held in the month of April, 1835, before the Recorder (Sir Charles Wetherell), by the trial of a woman named Mary Anne Burdock, who stood indicted for the wilful murder of an old lady named Clara Anne Smith, who had been her lodger, and whom, it was alleged, she had poisoned with yellow arsenic, to obtain possession of her property. The trial commenced on Friday the 10th of April, and was continued through the whole of that day and Saturday, and the Recorder did not proceed to sum up till Monday, the jury having been kept under the care of the proper officers during the whole of the time.

The evidence was circumstantial, but perfectly conclusive. It appeared that the deceased, a widow aged sixty, went to lodge with the prisoner at Bristol, in the year 1833, and was known to be possessed of considerable property, in sovereigns and bank-notes. She had a brother-in-law residing at Oporto, and a nephew in this country. She died on the 23rd of October. Shortly afterwards an undertaker, named Thompson, was sent for by the prisoner, who told him she had an old lady dead in her house, who died very poor, and had no friends, and who must therefore be buried at as little expense as possible. A coffin and coffin-plate, on which were the deceased's name and age, were in consequence provided, and the lady was interred in St. Augustine's church-yard, at eight in the morning, of the 30th of October. The prisoner, previous to this, was very poor, and lived with a man named Wade. Subsequent to the funeral of the deceased, she suddenly became possessed of wealth, and said she had been left a large property by her uncle. Wade went into business, but died in the April following, and made a will, by which he settled considerable property on the prisoner, including stock in trade, valued at 700*l*. She

Digitized by Google

was also proved to have 600*l.* in cash. She told one of the witnesses that a rich old lady had died in her house, and left her property to Wade.

Matters went on thus till December 1834, when the relatives of the deceased, hearing of her death, went to make further inquiries respecting her fate and property. This led to investigations which created suspicions of foul play, and it was determined that the case should undergo a searching scrutiny. Inquiries had previously been made of the prisoner, who gave up some papers of the deceased, but denied that she had left any property. The body was exhumed, the place of interment and the coffin being distinctly sworn to by the undertaker, who also swore to the shroud and other articles on the person of the deceased. The body was then opened by Dr. Riley, the physician of the Bristol infirmary, assisted by Mr. J. J. Kelson, surgeon, Dr. Symonds, and Mr. Herapath, a lecturer on chemistry, and was found in an extraordinary state of preservation, notwithstanding the time which had elapsed since its interment. There was a quantity of water in the coffin, which covered part of the body and legs. The stomach and abdomen were laid open at once, and it was discovered that the integuments had been converted into adipocire, which is a hardening of the fat, or animal soap. The stomach was carefully taken out, and found to contain a quantity of yellow arsenic. The contents of the stomach were submitted to various chemical tests, all confirming the belief that yellow arsenic had been administered, and was, in fact, the cause of death—in all other respects the subject was healthy. A beautiful preparation of the stomach was produced in court.

This fact established, other witnesses were called to bring the crime home to the prisoner. A seaman, named Evans, proved that he lodged with the prisoner when she passed as Mrs. Wade; this was in October 1833. She asked him to purchase two-pennyworth of arsenic for her about six days before Mrs. Smith died, saying there were rats in the house (this was proved not to have been the case). He accordingly purchased the arsenic from a druggist named Hobbs, in the presence of two witnesses, all of whom confirmed his statement. He gave the arsenic to the prisoner, and she put it in her pocket. He was in the house when Mrs. Smith died, and heard Wade and the prisoner laughing during the night. The prisoner said the deceased died poor, and she should sell some plate she left to pay the funeral expenses. He had seen the deceased with a gold watch and chain about a month before.

The actual administration of a yellow powder (the arsenic no doubt) was proved by a girl named Mary Ann Allen, who had been engaged to wait on the deceased, and who saw the prisoner put some yellow powder out of a paper, which she took from her pocket, into a basin of gruel, which she subsequently gave to the deceased—shortly after which the poor creature was seized with dreadful convulsions and died. After her death the prisoner opened a cupboard and drawers, and applied abusive epithets to the deceased, and conducted herself in the most unfeeling manner, exclaiming, "Only think of the drunken old b—— having this," &c. She told witness never to tell anything of Mrs. Smith, or who she was, or what she was, nor that she had ever lived with her; and, if any one asked, to say she was a stranger and a foreigner, from far away in the East Indies; "Nor don't you ever tell any one," said she, "you saw me put anything into the gruel, for people might think it was curious."

Digitized by Google

These details were confirmed by other witnesses, including the mother of the girl, and a servant who at the time lived with the prisoner. Mr. Charles Read, a wine-merchant, who knew the deceased's brother-in-law in Oporto, then proved that in November after her death, he went to the prisoner's house and saw her and Wade. He made inquiries as to Mrs. Smith's property. The prisoner said she died very poor, and that her clothes were in so bad a state that she was compelled to burn them, and that she would not produce anything belonging to her till he paid the funeral expenses, which amounted to 15*l.*; he went again the next morning, when Wade said there was a box which contained some papers belonging to the deceased; she ultimately agreed that they should each get a professional man to meet. They went again the next morning, and the box was at length produced and opened, and the papers were examined, and there was an old will of Mr. Smith's in favour of his wife. There were no deeds. Mrs. Smith had dressed very respectably since the death of her husband, five years ago. He knew she had possessed property. He had paid her 700*l.* in 1829. He paid her an annuity of 15*l.*

The case having been brought to a conclusion, some witnesses were examined to the character of the prisoner, who strongly protested her innocence.

On Monday the recorder summed up the evidence with great perspicuity, going through the whole of the testimony of the witnesses, and finally remarking on such parts as required explanation. He observed in his address to the jury—"The issues of life and death were, by the constitution of the realm, committed to them, and not to him. The prisoner was charged with having murdered, by means of poison, a lady of the name of Clara Ann Smith, the poison being yellow arsenic mixed in water gruel. They would have to make up their minds upon the three following points:—First, whether Mrs. Smith's death was occasioned by poison; secondly, whether that poisoning was carried into effect by the prisoner; and, thirdly, whether the prisoner knew that she was poisoning Mrs. Smith. If they were of opinion that she did administer the poison knowing it was poison—if their consciences were made up on these points, however fatal and tremendous the consequences might be to the prisoner, they were bound to make a true deliverance between the king and the king's subjects, and they were bound to pronounce her guilty. They would have to exercise their judgment. The verdict was theirs, and not that of the court. They were charged with the duty of pronouncing the question of guilty or not guilty."

The jury retired for rather more than a quarter of an hour, during which time great and more than ordinary excitement was manifest in the court. The prisoner apparently retained the most perfect composure, her solicitors and other persons were crowded round her, with whom she appeared in most anxious communication; but her eyes were constantly wandering towards the door, in expectation for the jury's return, upon the countenance of each of whom she was observed, upon their leaving the court, to have looked with a steadfast wish to discriminate the opinion each had formed of her case.—Upon an intimation that the jury were about to return, there was a general anxiety to obtain a sight of the prisoner throughout the Court, which occasioned so much noise, and cries of so various a nature, that some time elapsed before order could be obtained, or

Digitized by Google

the judge had any power to proceed. The noise having somewhat subsided, the names of the jury were called over, and they were then in the usual manner asked what verdict they had to return, when the foreman, in a most solemn manner, and evidently with a great degree of feeling, returned the verdict of "Guilty."

The prisoner's countenance at this interesting and awful moment was slightly changed, but she addressed the judge in an audible voice, although rather faltering, saying, "My lord, I am innocent, I am innocent. Standing at this bar, I call upon the Almighty to put his judgment upon me if what I am now saying is not true. I know nothing of it; I am innocent; and the Almighty, I hope, will put his judgment upon me at this moment if I am not innocent."—The learned judge then passed upon her the awful sentence of the law, directing her to be executed on Wednesday, and her body to be buried within the precincts of the jail. The prisoner said, in an audible voice, "May the Lord have mercy upon my soul." She was perfectly unmoved during the passing of the sentence. She was then removed, and immediately partook of refreshment under the dock. An immense crowd of persons was waiting in every avenue leading from the court; and, upon her departure from the Guildhall, on her way to the jail, she was assailed with the most frightful and discordant yells, the carriage in which she was conveyed being followed by a great concourse of people.

On Wednesday, the 15th of April, the unhappy wretch was hanged. During the religious service before execution she sat sullenly silent, never once rising or kneeling. At the conclusion of the sermon she got up without betraying any emotion, and left the chapel with firmness. But afterwards, when in the room under the platform, having her dress arranged, when the fatal cap was placed on her head, and the rope round her neck, she certainly joined in the prayers which the chaplain continued, with something like feeling—repeating the responses of "Lord have mercy on my soul!" "Christ have mercy on my soul!" with earnestness. In this room she lingered long, and appeared to lengthen the time, and it was here generally expected that she would have confessed the justice of her sentence—but, alas! she made no statement whatever. She ascended to the fatal drop with comparative firmness, but looked pale and ghastly, and evidently now felt intensely. She quickly dropped the handkerchief, and the fatal bolt was drawn at exactly twenty minutes before two o'clock in the afternoon. Her weight evidently caused instant death.

The wretched woman, it appears, was a native of Bristol, in which city she passed her life. She was forty years of age at the time of her execution.

PATRICK CARROLL.

EXECUTED FOR MURDER.

The circumstances attending the murder of which Carroll was guilty may be related in a very short space.

Carroll, it appears, was a native of Ballihoy in Ireland, and at the age of twenty-two years enlisted in the 7th regiment of Fusileers. He remained in this corps during a period of seven years, at the expiration of which time

Digitized by Google

he received his discharge. He, however, almost immediately rejoined the army by enlisting in the Marines; and for the good conduct which he displayed, he was speedily raised to the rank of corporal. He had been in the marine service during three years only, when the melancholy event occurred which consigned him to the gallows. The company of marines to which he belonged was stationed at Woolwich; and the public-house which was commonly frequented by Carroll was the Britannia, which was kept by a Mrs. Browning, a widow. Carroll formed an idea that his attentions were not disagreeable to Mrs. Browning; and he repeatedly pressed her to marry him. It does not appear that she was altogether regardless of his suit; but Carroll having upon more than one occasion, while in a fit of intoxication, conducted himself in such a manner towards her as to call for her displeasure, she refused any longer to listen to his addresses. On Sunday, the 26th of April 1835, Carroll went to the Britannia, and found that Mrs. Browning had invited some friends to tea, amongst whom he was not numbered. Some angry words ensued between them; and with difficulty Carroll was ejected from the house. On the next morning he returned, and demanded that he might be permitted to address a few words to Mrs. Browning in private. This was declined, upon which he entered the bar where she was; and after having repeatedly struck her with his hand, at length drew his bayonet, with which he stabbed her in no fewer than eighteen places in the breast and body. The screams of the unfortunate woman soon attracted many persons to the spot, and the murderer was secured with all the evidence of his guilt upon his person; not, however, until the victim of his crime had died under the wounds which he had inflicted.

Carroll made no effort to escape or to deny his guilt; and a verdict of "Wilful Murder" having been returned against him by a coroner's jury, he was committed to Newgate for trial.

On Friday the 15th of May, the prisoner was tried at the Central Criminal Court, held at the Old Bailey, for the murder, when a verdict of "Guilty" was returned. Sentence of death was immediately passed, and the prisoner was ordered for execution on the following Monday.

In pursuance of his sentence he was conveyed from Newgate to Maidstone on the same evening, the scene of his crime rendering it necessary that he should suffer execution in the county of Kent. The wretched prisoner made no attempt to deny or to palliate his guilt, and appeared to be deeply sensible of the painful nature of his situation. He maintained an unusual degree of firmness throughout the remaining portion of his life, which did not forsake him even at the scaffold.

His execution was attended by a vast number of persons, a great many of whom were soldiers or marines.

The execution took place on Monday, May the 18th 1835.

As this is the first case, to which we have alluded of the trial of a prisoner at the court constituted as the Central Criminal Court, it may be well to mention the change in the law, by which this alteration in the title of the "Old Bailey" was effected. The extreme inconvenience attending the prosecuting offenders, for crimes committed in the immediate vicinity of the metropolis, but not within the district to which the jurisdiction of the Old Bailey extended, involving, as it did, among other evils,

Digitized by Google

the necessity of the attendance of witnesses at Maidstone, Chlemsford, or the other assize towns of the Home Circuit, had long been felt and complained of; and parliament had been called upon to provide a remedy by which the existing system might be improved. Under the superintending influence of Lord Brougham, the Central Criminal Court Act was prepared, and carried through both Houses of Parliament. The general effect of this important statute is all that it is necessary for us to state. Its provisions materially extend the district over which the judges sitting at the Old Bailey have jurisdiction. They render it necessary that there shall be at the least twelve sessions in the course of the year, thus rendering the delivery of the jail of Newgate more frequent than formerly; and they also give the judges of the Court jurisdiction over offences committed on the high seas, for the trial of which hitherto a Special Admiralty Session had been held. These are the main alterations of the law which are effected; and the experience of nearly six years has shown the operation of the new act to be attended with the most admirable results.

HENRY STANYNOUGHT.

TRIED FOR THE MURDER OF HIS SON.

THIS melancholy case excited, at the time of its occurrence, almost universal sympathy, as well for the unfortunate victim of the attack, as for the miserable parent by whom that attack was made.

Mr. Stanynought was a stationer in a respectable way of business, residing in Connaught-terrace, Edgeware-road. On the morning of Friday, the 4th of September 1835, his shopman was horror-struck at perceiving his master run down stairs in a state of partial nudity, bleeding profusely from a wound which he had inflicted on his breast with a case-knife, which he carried in his hand. Rushing towards Mr. Stanynought, he at once was informed by him of the death of his son by his hands. An instant alarm was given; and the declaration of the wretched father, that he had killed his son, was found to be true. Mr. Stanynought and his son, aged about twelve years, it appears, had retired to rest in the same room on the previous evening; and in the course of the night the former was heard moving about by his servant. The body of the deceased child presented a melancholy spectacle. It was lying with the face towards the bed, and the poor boy had evidently died of suffocation. There was, however, a deep wound across the forehead, which seemed to have been dealt with some blunt instrument. Mr. Stanynought, upon being questioned, at once declared that the dreadful act had been committed by him. He said that he had long meditated the destruction of both his child and himself, and that he had burned charcoal in the room in which they slept on two nights without effect. On the previous evening he had taken laudanum; and in the course of the night he had struck his son with the boot-jack; but finding his blows ineffectual, he had smothered him with a pillow.

Further inquiry at once elicited the fact that the wretched man was subject to occasional fits of insanity—a malady from which both his father and grandfather had suffered. The apprehension of the same disease dis-

Digitized by Google

playing itself in his son, appeared to be the sole cause of the dreadful deed which he had committed.

At a coroner's inquest held on Monday the 7th of September, the circumstances attending the death of the deceased were elicited, with the additional fact of the insanity of the father. Proof of this feature in the case before the coroner's jury, however, was unavailing, and a verdict of "Wilful Murder," was returned.

Between this time and the period of his trial, Mr. Stanynought almost completely recovered from the effects of the wound he had committed upon himself. On Friday, the 25th of September, the wretched man was put upon his trial at the Central Criminal Court, when his insanity being clearly proved, a verdict of acquittal was returned upon that ground.

He was therefore ordered to be detained during his Majesty's pleasure, and was subsequently conveyed to a mad-house.

ROBERT BALLS, THOMAS HARRIS, AND MORDECAI MOSES.

TRANSPORTED FOR FORGERY.

THE offence of which these men were convicted, was that of forging and circulating an immense number of notes which were forged, but which purported to be genuine notes of the Austrian and Polish banks.

The prisoner Balls was an engraver residing in the neighbourhood of Clerkenwell, and he had been employed by Harris and Moses, both of whom were of the Jewish persuasion, the latter being a native of Poland, to prepare fac-similes of the notes of the Austrian and Polish banks, with a view to the preparation and circulation of forged instruments of the same description. An immense number of these notes had been already put into circulation before the apprehension of the prisoners; and M. Salzman, a cashier of the Austrian bank at Vienna, was despatched to London, from which place it was found the forged notes emanated, in order to take the necessary steps to secure the parties guilty of these fraudulent proceedings. Ruthven and Fletcher, the Bow-street officers, were employed by him to assist him in his inquiries; and in a short time, they succeeded in discovering the connexion of Harris, Moses, and Balls, with the forgeries. Their proceedings were in consequence watched for some time; but at length Balls and Harris were secured on Monday, the 16th of November 1835, at the Star Coffee-house, Crown-street, Finsbury, having in their possession a quantity of unfinished Austrian notes, and the necessary plates and other instruments to complete fac-simile representations of genuine notes. In the house of Harris, in Sadler's-court, Gravel-lane, Houndsditch, other instruments of a similar description, but which had been prepared to print Polish notes, were found, together with evidence which left no doubt of his guilt on both charges. On the 9th of November, Moses was also apprehended at the Strand Coffee-house, near Temple-bar, with a parcel in his possession containing like evidence of his guilt of the crime of forging and uttering notes of the Polish bank.

After several examinations at Bow-street, the prisoners were committed to Newgate, and they took their trial at the following Central Criminal

Digitized by Google

Court Sessions, on Friday the 18th of December. The first case gone into was that of an indictment, which charged Moses, who was described under the *alias* Marcus Warshaur, Balls, and Harris, with forging and uttering notes of the Polish bank. The evidence was insufficient to support this charge, and they were acquitted. On the following day, however, Moses was tried upon an indictment, charging him with feloniously possessing copper-plates engraved with a fictitious undertaking in the Polish language, to pay the sum of five guilders, (equal in value to 2*s.* 6*d.*), and a verdict of guilty was returned, after a trial of several hours' duration. Harris was on the same day tried upon an indictment charging him with uttering forged notes on the Polish bank, and he too was found guilty. On Monday, the 21st December, Balls was also tried and convicted; but further proceedings against the prisoners upon other indictments were delayed, until the opinion of the Judges should have been obtained upon certain objections which were taken to the indictments upon which they had been convicted.

On Wednesday, February the 3d 1836, the prisoners were informed, that the objections taken in their favour were unavailing, and that they had been rightly convicted, and on the 10th of the same month, they were sentenced to transportation; Balls and Harris for life, and Moses for fourteen years.

WILLIAM SUMMERS.

TRANSPORTED FOR LARCENY.

This unfortunate young man was guilty of a very extensive robbery upon his employers, Messrs. Ashley and Co., bankers, of Regent-street. He held a responsible situation in the service of that firm; but in the month of May, 1835, he suddenly absconded, carrying with him a sum of 3240*l.* in Bank-of-England notes, four hundred sovereigns, and 40*l.* in silver. His accomplice in this crime was supposed to be a person named Jackson, a member of the New Police, and notwithstanding every exertion was made to discover their retreat it was without avail, and for a time they succeeded in getting clear off. Nothing more was heard of them until the month of November, when a paragraph appeared in the daily papers, copied from a journal published at Montreal, in which the fact was notified of the apprehension of Summers at Quebec. Handbills describing the persons of the runaways, and also the nature of the property which they had stolen, it appears, were extensively circulated after the robbery; and some of these reached the possession of the managers of the Montreal bank. In the month of September, a young man presented himself at the counter of that bank, and requested money for a 50*l.* note of the Bank of England. The particulars of the note were found, upon comparison, to correspond with those furnished of one of the stolen securities; and upon the person who presented it being questioned, he at length, after some hesitation, confessed that his name was Summers, and that he had committed a robbery upon his employers and had absconded with its proceeds, in company with an acquaintance named Jackson. Upon his being taken before a magistrate of the place he made a confession, of which the following is a copy.

"William Summers being charged on oath before me with having, on the 6th of May last, feloniously stolen a large sum of money belonging to

Digitized by Google

his employers, Messrs. Ashley, bankers, London, voluntarily and freely declared that he was clerk in Messrs. Ashley's employ, and that on the day in question he did abscond with a sum of money, of which the notes now produced were a part; and that for this act, he being desirous of making all the amends in his power, by delivering up notes and gold in his possession, amounting to 1,300*l.*, has done so; and further declares, that he had been acquainted with George Jackson (formerly of the Metropolitan Police) for about ten years; that they were in the habit of frequenting gaming-tables together, and that his salary of 36*l.* a year being insufficient to meet his expenses, he was instigated by the said George Jackson to commit the robbery; that George Jackson had said to him, he had ample opportunity of making his fortune; that with the booty he could obtain from Messrs. Ashley they might both go to America and be independent; that he did commit the robbery, and at two o'clock the same day he went to a coffee-shop in Long Acre, and met Jackson there by appointment; that he and Jackson took a private lodging at Dock-head, and remained for about three weeks, when both went to Dublin; that they remained there about two months, when Jackson, during the absence of witness, robbed him of three hundred sovereigns, and 2,015*l.* in notes, and left Dublin, and he had not seen nor heard of Jackson since; that it was agreed between him and Jackson they should go halves; that after Jackson left Dublin, witness took a passage to America, by the name of William Smith, in the Friends, Captain Duncan, in August last; that this statement was carefully read over to the prisoner, and he persisted therein and signed it."

The prisoner, therefore, was committed to jail for safe custody, until an opportunity should occur for his transmission to England.

On Saturday the 26th of December, he was placed at the bar of Marlborough-street Police-office, charged with the robbery, and he exhibited no hesitation in at once confessing himself guilty of the charge preferred against him. He was immediately committed for trial, and on Thursday the 7th of January, 1836, having been arraigned at the Central Criminal Court, upon an indictment charging him with stealing the money from the dwelling house of Messrs. Ashley, he pleaded "guilty."

At the conclusion of the sessions, he received sentence of transportation for life.

The unfortunate man, at the time of his conviction, was twenty-eight years of age. He was the son of respectable parents, who lived in Westminster, and who were remarkable for their religious demeanour. Their son was supposed to be equally devout; and it is worthy of observation, that notwithstanding the offence of which he was guilty, and the irregularities of which he accused himself, a memorandum-book was found in his possession, containing a vast number of quotations from the Scriptures.

This case is remarkably similar in its nature to one which occurred with reference to a person named Air, a clerk at Messrs. Brooks and Dixon's banking-house, in Chancery-lane. The consequences to Summers, however, were more severe than those experienced by Air; for while the latter succeeded in effecting his escape to America, where he was free from all criminal responsibility for his guilt, the former remained in Canada, ex-

Digitized by Google

posing himself to the probability of apprehension, and of transmission to England, to suffer the penalty of his crime.

In the month of November, 1831, Mr. Air absconded from the employment of Messrs. Brooks and Dixon, carrying with him money to the amount of 2,400*l.* It was soon ascertained that he had immediately set off for Portsmouth, to join an American ship, bound for New York, which had sailed from the river, and only waited a fair wind to be off. On reaching Portsmouth he retired to rest, and had nearly lost his passage by oversleeping himself; and, indeed, would have done so, had not the ship's boat, by a lucky chance for him, been upset, with the captain on board. Through the assistance of a pilot-boat, however, he reached the vessel and escaped. Scarcely had the American got clear away, when one of Brooks and Dixon's confidential assistants, and a Bow-street officer, reached Portsmouth, but they were too late, for the bird had flown. No time was to be lost in pursuing another course. Application was made to the American consul, who advised that an affidavit of debt should be made, and sent out, with a power-of-attorney, to an agent at New York, to act for the interests of Brooks and Dixon. This was done: a fast-sailing ship was on the eve of starting from Liverpool, and by this the documents in question were despatched. The latter vessel reached New York in a very few days after Air, who, on landing, invested his sovereigns in Ohio and Insurance shares, which he subsequently deposited with a banker. The moment the affidavit of debt and power-of-attorney, accompanied by a description of Air's person, arrived, he was arrested and thrown into prison, and the situation of his property being ascertained, an injunction from the Court of Chancery was obtained to impound it. Thus circumstanced, the fugitive had no alternative but to remain in prison, or consent to the restitution of his plunder; he preferred the latter course, gave up the shares, and was discharged. We have only to add, that by these simple means Messrs. Brooks and Dixon shortly after received back from their American agent upwards of 2,000*l.* of their loss, and at a very trifling cost, while Air was left pennyless, to reap the ignominious reward of his breach of trust, in poverty and disgrace.

WILLIAM JOURDAN, *alias* LEARY; THOMAS SULLIVAN; HENRY MOTT; AND WILLIAM SEALE.

TRANSPORTED FOR A ROBBERY AT THE CUSTOM-HOUSE.

THE extraordinary robbery, for their participation in which these men were convicted, was committed on the 27th of November, 1834, and Bank-notes and money to the amount of 4,824*l.* were then carried off. The whole of the particulars of this most daring burglary were revealed at the trial of the offenders, whose names are above-mentioned, by one of the men who were concerned in it; and they exhibit, probably, more plainly than any case which ever came before the public, the system to which modern thieves have reduced their plans of depredation, while, at the same time, they show the success which but too frequently attends their enterprising attempts at robbery. Few among the "family men," as these experienced housebreakers are commonly called, appear to have been so successful as

Digitized by Google

Jourdan and Sullivan, but few have been able to proceed with the same determination and ingenuity in the execution of their plots.

We have already stated that it was on the night of the 27th of November 1834, that the robbery at the Custom-house of London, for which Jourdan, Sullivan, Mott, and Seale, were eventually convicted and transported, was effected. This extensive depredation was committed in the office of Mr. Frederick Thomas Walsh, the receiver of fines and forfeitures. The office, on the evening before the robbery, was left securely fastened in the ordinary manner; but on the next morning, it was ascertained that the iron safe had been broken open, and property to the value of 4,824*l.* carried off. The consternation produced in the establishment by such an event, it may be easily conceived, was of an extraordinary description, and upon its discovery instant information was conveyed to the various police-offices in the metropolis of the circumstance, as well as of the numbers and dates of such of the notes as, by memoranda made of their particulars, could be identified. More than a year elapsed, however, before any of the perpetrators of this daring outrage were apprehended. Lea, an officer of Lambeth-street police-office, was the person to whom the duty of making inquiries into the case was deputed, and after the most arduous investigation, carried on with praiseworthy perseverance, he was at length enabled to bring the principal parties to this burglary to punishment.

On Wednesday, the 2nd of December 1835, Jourdan and Sullivan were taken into custody, and the circumstances of their apprehension deserve to be narrated. Lea, it seems, had been long convinced of their participation in the robbery, and had striven hard to obtain evidence confirmatory of his suspicions, and, at the same time, to procure such a knowledge of the "whereabouts" of the objects of his investigations, as to enable him, when a fitting opportunity should present itself, to secure them, and to bring them to account for the long list of evil deeds of which he knew they had been guilty. Keeping them in his eye, he at the same time was anxiously engaged in procuring testimony of their criminality; but, at the moment when this evidence came to his knowledge, he found that his birds had suddenly flown. For two months all his exertions to discover their retreat were useless; but at length chance threw him again upon their track. An assistant to the officer watched a well-known associate of theirs to the Red Lion, in King-street, Holborn, and in that house they were captured on the morning of the 2nd of December. Upon inquiry it was ascertained that they had been staying there during a short time only, and that they passed as mercantile men. They occupied an upper room, where they kept their trunks; and they appeared to be possessed of plenty of money, an excellent wardrobe, and, indeed, they seemed to lack nothing to render their appearance highly respectable. Upon the introduction of Lea to the "gentlemen," they appeared astonished to find that he had discovered them, and, without hesitation, consented to accompany him; but Sullivan declared, that if he had been armed, nothing should have induced him to surrender himself alive. They were instantly taken to Lambeth-street, and Lea then commenced a search through the apartment which they had occupied. In their trunks he found a great variety of housebreaking implements, of the most ingenious construction. Files, centre-bits, spring saws, and every sort of tool used by "cracksmen" were among those which were discovered, while a pair of scales, calculated for ascertaining the precise weight of

Digitized by Google

metals and precious stones, was also discovered to be in their possession. These, of course, were instantly seized by the officer, who, having further examined the room, and satisfied himself that nothing was concealed, retired from the house. A gold watch and a 10*l.* note were taken from the person of Jourdan, as being calculated to lead to the discovery of further evidence against him; and the circumstances of the apprehension of the two prisoners having been detailed to the magistrates, they were ordered to be remanded.

In the course of the subsequent investigation of the case, information was obtained with respect to the two prisoners, which exhibited them to be most determined and successful thieves. They were both Irishmen, and many years had not elapsed since they were known as common pickpockets in Whitechapel, associating with the very lowest classes of vagabonds in that notorious vicinity. With regard to Jourdan, whose real name was Leary, it was ascertained that four years before he had introduced himself to a Mr. Brace, a baker in Goodman's-yard, Minories, one of the committee of management of an Irish free-school in the neighbourhood, and placing 12*l.* in his hands, had requested him to appropriate a weekly sum of five shillings towards the support of his mother (Mrs. Hart) and his half-sister, Mary Hart, who was then a pupil in the school. Mr. Brace at once consented to this, and Leary went away, saying that he was about to sail for America, but that he would soon send more money for the use of his mother, and to carry her and her daughter to meet him at New York. Some time elapsed before anything more was heard of him, but then a letter was received from him, containing a sum of money which Mr. Brace was requested to forward to Mrs. Hart, in order that she and Mary Hart might at once proceed to join him. The amount was amply sufficient to carry them to New York in good style, and thither they proceeded. From that time up to the year 1834 Mr. Brace had neither seen nor heard anything of them, but in that year Leary called to inquire whether there were any letters lying there for him from his mother. He came on horseback, was well dressed, and appeared to be in a respectable position in life; and he accounted for this change in his appearance by saying, that a Spanish gentleman, in whose service he had been, had died and left him a large sum of money; that he had taken the name of Jourdan, and had then just arrived from Virginia, having left his mother at New York. No letters had then arrived for him, and he went away; but shortly afterwards a letter was brought by the post from the landlord of a hotel in New York, announcing the death of Mrs. Hart. This letter was given to Jourdan upon a subsequent visit, and then he expressed his intention to send for his half-sister. Subsequently to this, Jourdan's wife called upon Mr. Brace, and saying that her husband was gone to Birmingham on a journey in pursuance of his trade as a travelling jeweller, requested to be permitted to leave with him a box of valuable papers, which she was afraid of having stolen from her house. They lived then in White-hart-row, Kennington, at a house which they had hired upon the representations of Mr. Brace as to their respectability, and Mrs. Jourdan declared that an attempt had been made to break into it. Mr. Brace expressed his willingness to take charge of the trunk, and it was sent to him; and, in the month of September 1835, Jourdan called upon him and deposited with him 100*l.* in 10*l.* bank notes, which he requested him to take care of for him until he should

Digitized by Google

call for it, promising to give him six months' notice of his desire to have the money refunded. The box with its contents was given up to Lea, the officer, and the papers which he found in it, consisting of letters, memoranda, bills of parcels, and other documents, afforded him material assistance in tracing the notes which had formed a part of the booty in the Custom-house robbery, while, at the same time, they bore upon the face of them conclusive testimony of the fact of both Jourdan and Sullivan having for years carried on a system of plunder together, both in England and America, in which they had been highly successful, and by means of which they had amassed a very large sum of money.

Sullivan, it appeared, had been already indicted for a robbery at Macclesfield four years before, from the consequences of which he had escaped by breaking out of jail. He was apprehended in company with a man named Wilson, upon suspicion of having been concerned in a robbery upon the person of a Mr. Stephens, an Irish gentleman residing in Cork, in Vauxhall-gardens. The produce of the robbery, which consisted of notes and bills to the amount of 238*l.*, was found in the pockets of Sullivan, and he was committed for trial for the offence. He managed, however, before many days had passed, to escape from the prison in which he was confined, and subsequently to America, where he joined Jourdan. Wilson, his fellow-prisoner, was tried for the robbery, but acquitted; but the indictment still remained in operation against Sullivan at the time of his apprehension on this charge.

The prisoners had undergone several examinations before the magistrate at Worship-street, when on Tuesday, the 29th of December, a piece of intelligence was conveyed to Mr. Hardwick which left no doubt of their having also been engaged in one or more very extensive robberies of jewels which had just before occurred. It was stated by Lea, that notwithstanding the pains he had taken to search the room which had been occupied by Jourdan and Sullivan at the Red Lion at the time of their apprehension, he now found that he had not done so effectually. Since the prisoners had been in custody at that office, infinite pains had been taken by their friends to procure admission to the room which they had occupied at the Red Lion. Persons, apparently recently arrived from a journey, would drive up in a coach and demand to be supplied with lodgings; but although this and many other *ruses* were resorted to, evidently with an object, the precise nature of which could not be discovered, all was in vain, and Mr. Proctor, the landlord, refused to admit any strange person to reside in his house. On Monday, the 28th of December, a Mr. Hanson, an old customer at the Red Lion, arrived in town, and, upon his presenting himself to the landlord, he was immediately shown to the long vacant apartment. A fire was kindled by the servant, and, in the course of the evening, the attention of Mr. Hanson was attracted to some brilliant substance which he perceived amidst the flames. With the tongs he drew it forth, and he perceived it to be a brooch, set with splendid pearls, which, however, was much injured by the fire. Further search presented to his view other articles of a similar description; and, in the course of a short time, he picked from the embers two other brooches, seven large brilliants, seven emeralds, one or two of which were of very great value, and about four dozens of small diamonds. This discovery, it may be supposed, excited great astonishment; but, upon its being communicated to the landlord of the house,

Digitized by Google

the mystery was at once solved by his recollection of the former inmates of the apartment. Lea was instantly sent for; and, on his instituting a further examination, he found in a bag, suspended in the chimney, three massive gold chains of foreign manufacture, which he immediately recognised as answering the description of some chains which had been stolen from the warehouse of Messrs. Hall and Co., on the Custom-house Quay, in the previous month of February, when property of the value of nearly 8000*l.* was carried off. A renewed investigation brought other articles to light, and the anxiety of the strange visitors to the house was at once accounted for, while, at the same time, strong grounds of suspicion were excited that Jourdan and Sullivan had been parties to that robbery, and had secreted the produce of their depredation during their stay at the Red Lion, lest any accidental circumstance should reveal their possession of it.

It would be useless to go through the whole of the evidence which was from time to time adduced at the police-office against the prisoners. A great variety of minute facts were proved, which traced the possession of some of the stolen notes to them; but all doubts which might have existed as to their participation in the robbery, and as to the real circumstances of its commission, were at length satisfied by the confession of Mr. William Huey, a landing-waiter of the Custom-house, to whom also some notes had been traced. This statement was first made to Mr. J. Manning, surveyor-general of customs, and was confined to a declaration on the part of Huey, that he had received the notes which he was proved to possess at a gambling-house, No. 1, Leicester-square. Subsequently, however, a more minute and more truthful confession was made by him, in which he gave the fullest account of all the proceedings antecedent to and attendant upon the burglary. This confession led to the apprehension of Mr. Henry Mott and Mr. William Seale, who also held situations in the Custom-house; and, after repeated examinations, in the course of which an enormous mass of evidence was collected, all four prisoners were at length fully committed for trial, on Friday, the 12th of February, 1836.

At the trial of the prisoners at the Central Criminal Court, which commenced on Wednesday, the 2nd of March, Huey was examined at length as to the circumstances of the robbery.

He said that he was a landing-waiter at the Custom-house, and had held that situation since the year 1827. Soon after his appointment he became acquainted with the prisoner Seale, whose office was similar to his own. After about six months, however, they quarrelled, and it was not until June 1834 that their difference was made up. They were then stationed at the London Docks; and after business they were in the habit of frequenting various public-houses. The Duke of Sussex at Peckham, The Royal Mortar, and the Castle in the Old Kent-road, were often visited, but they occasionally went to the Three Kingdoms near the Custom-house. Shortly after their reconciliation, Seale mentioned to him a design which existed to "crack" the Custom-house; and on the same afternoon they met the prisoner Mott at the Three Kingdoms; he was a clerk in the king's warehouse. Mott spoke of the subject as if it were a familiar one to him, and he advised that they should delay the intended robbery until an opportunity should present itself, when they might obtain a larger booty than they could then procure. This was agreed to by all parties, and although they subsequently frequently spoke upon the subject, the execu-

Digitized by Google

tion of their plan was deferred. In the following August, the witness went to see his father at Drogheda. He had previously been introduced to Jourdan and Sullivan, and he knew that the object of their introduction was, that they might assist in the project which they had in view. He met them in Dublin, and they inquired whether he had any means of assisting them in robbing the Custom-houses at Drogheda and at Dublin. He answered in the negative, and returned to London the same day; and on the 4th of September he resumed his occupation. He soon after met Mott and Seale at the London Docks, and the discussion of the subject of the robbery was resumed. After a short time they proceeded to Jourdan's lodgings, at No. 3, East-street, Walworth, and acquainted him with their plans. He made various inquiries with regard to the contents of the strong box in the office of the Receiver of Fines, upon which it had been determined their attack should be made, and on the next day went with Sullivan to inspect the place. At a subsequent meeting they declared that it would be easy to commit the robbery; and Sullivan suggested that the best means of effecting their purpose would be to fit the locks with false keys. Mott said that he could procure impressions of one of the keys,—that of the outer door; and at a meeting which they afterwards held, he produced the key of which he had spoken, saying that he had taken it from the desk of Mr. Billing, in the king's warehouse, who was out on leave. An impression of it was taken in wax by Sullivan, from which subsequently a skeleton key was made. The assistance of a fifth person was now spoken of, and Seale introduced a man named William May, or Morgan, (a thief, and the former companion of Jourdan and Sullivan). At the next meeting Sullivan produced the skeleton key, and said, that he and Jourdan had tried it and found that it would fit, but it was not strong enough, and a new and firmer key was ordered to be prepared. Seale then also showed them some padlock keys, one of which he suggested would open the padlock with which the door was fastened; but after impressions of them had been taken, and trials made with skeleton keys made from the model, it was found that none of them belonged to the lock which they desired to open. A suggestion was then made, that the best way to commit the robbery would be by "stowing away," by which was meant, hiding one of the party in the house, who could, undisturbed, secure the booty and then make his escape. May volunteered to conceal himself, and a proposal was made that they should again inspect the place in order to ascertain whether this could be done. The king's sale was now approaching, and Jourdan said that he should like to know what would be the probable amount of the contents of the box. This, it was observed, might be easily ascertained. One of the party could buy a lot at the sale, and going to pay for it, he could see what money was in the chest, by presenting a note of such an amount as that Mr. Walsh would not be likely to be able to give change without going to the safe. This was agreed to; and a lot of rum having been purchased for 11*l.*, Jourdan took a 50*l.* note to pay for it. On the 26th of November he informed his associates of his success in the project which he had undertaken. He said, that on his presenting the 50*l.* note, Mr. Walsh felt his pockets, and looked into his drawers, but finding that he had not got sufficient change, he went to the iron-chest. Having only one key, he was obliged to wait until the person who kept the other came down stairs; (it is the custom to have a double lock to the iron safes of public institutions, so that

Digitized by Google

they cannot be opened except with the concurrence of two persons, each of whom has a key). He then took out a large cash-box, which he could only move with both his hands, and on its being opened there appeared to be about 5000*l.* in it at least. Jourdan gave his own name and address to be indorsed on the note which he paid; and having received the change, he went away satisfied with the observation he had made. Mott censured him for giving his own name, and observing that all the particulars were written in a book, it was agreed that when the robbery was effected, the book should be destroyed, by the leaves being cut out and burned. The final plans were then arranged, and it was decided that May should go to the Custom-house at a little before four o'clock accompanied by Jourdan and Sullivan, and that in the confusion which usually prevailed at the time of shutting the offices, the former should enter the Receiver's Office and conceal himself behind the door. On the next morning at nine o'clock, Jourdan and Sullivan were to be again in waiting, and having seen all safe, they were to give a signal to May, so that he might quit the place when the watchmen had opened the doors. Mott was also to assist in this design by keeping the clerks in his office, where they went to sign the appearance-sheet. If May got clear off, they were all to meet at Seale's house at Peckham on the same morning, to divide the booty. These arrangements being completed, they separated, and the witness remained away from business next day, on the pretended ground of ill-health. In the afternoon, Seale, and subsequently Jourdan and Sullivan, called on him and told him, that May had been safely "lodged;" that they had all walked into the passage together, and in the confusion had "flashed" an umbrella, under cover of which May entered the office. They afterwards waited on the esplanade for ten minutes to see that all was right, when seeing the doors locked, they went away. On the next morning, the 28th, witness went to Peckham, and meeting Seale, they went together to the Waterman's Arms, which commanded a view of the road by which Jourdan and the others must go to them. They remained there until they saw them coming, and then they went and met them, and they all proceeded to Seale's house together: Mott was not present. May then produced the money from his pocket, and it was divided into six equal parcels: it consisted of 4700*l.* in notes, 122*l.* in gold, and about 50*s.* in silver. May detailed to them the manner in which he had committed the robbery. He said, that as soon as he was locked in, he set to work: he found the key which opened the Receiver's lock to the chest, and employed it; but he was compelled to break open the other lock. Having done so, he took out the money and put it into his pockets. He next tore out the leaves from the book, and he now produced them. One of them bore the name "Leary, East-lane, Walworth," and that with the rest was burned. The whole party then tossed for choice of the lots of money, because some contained more gold than others; and the selection having been made, Jourdan and Sullivan claimed something for expenses. A 20*l.* note and some silver were paid them, as well as the 50*l.* note marked "Leary," and they with May went away. Seale then took the three remaining shares up stairs, saying, that he should send them out of town; and on the same evening he said that they were sixty or seventy miles off. In about a month afterwards, however, he told the witness that they were at Leicester, and he went and fetched them. The lots were then counted over, and the share of each was 745*l.* in notes. The witness fur-

Digitized by Google

ther stated, that he disposed of all the notes under 20*l.* in amount to Jourdan at 20*l.* per cent. discount, and subsequently all under 100*l.* in value upon the same terms; and that having done so, he concealed the remainder in Camberwell churchyard, where they remained for several months. Seale then introduced a person who undertook to dispose of some of those which were left, on the Continent; and a portion of the notes was given to him, and he brought back cash. Seale took away what was left of his money, and the witness retained 900*l.* in three notes of the value of 300*l.* each. These he concealed in the panelling of one of the doors of his house, by boring a hole with a centre-bit, and then having introduced the notes, filled up the remaining space with a cork; and on his apprehension he disclosed the place of their concealment, and they were seized by the officers.

On his cross-examination, the witness declared that he had no object in making this disclosure, but that of saving his friends from disgrace. He did not desire to screen himself from punishment; but having committed so heinous a crime, he felt called upon to repair the mischief he had done so far as he was able.

In the course of this and the following days, a vast body of testimony was produced, which proved the transmission of a great part of the stolen notes to the Continent, and their negotiation there: the intimate connexion and acquaintance between the prisoners and Huey about the time of the robbery was also shown, and a great variety of other corroborative evidence was adduced.

The prisoners declared that Huey's story was untrue, and had been invented by him to screen himself; and attempts were made to show that at various periods of the transaction Jourdan and Sullivan had been at places which forbade their implication in the robbery. Other witnesses gave Mott and Seale a good character; but the jury, on Thursday night, found all the prisoners "Guilty," but recommended Mott and Seale to mercy.

On Tuesday the 8th of March, the prisoners received sentence of transportation for life; Jourdan and Sullivan being informed that they would be sent to a penal settlement, where they would be compelled to undergo the most severe and painful labour; while Mott and Seale were told that upon their arrival in the colony to which they were about to be sent, they also would be severely punished, by their being worked in road-gangs.

The distressing nature of Seale's position was rendered doubly painful by the sudden death of his wife on the Saturday after his conviction. The wives of all four prisoners were allowed a last interview with them on that day in Newgate. One of those who availed herself of the privilege was Seale's wife, who went there soon after ten o'clock on the above morning. She had a long interview with her husband, and appeared very much affected on being apprised by him that it was probable he would be transported for life. She afterwards proceeded home; but had scarcely entered the house where she had been lodging since her husband's incarceration, when she dropped down and almost instantly expired.

The convicts were subsequently conveyed to the penal settlements, where they were immediately placed in the positions of painful punishment which had been described to them by the learned judge at the time sentence was passed upon them. Reports afterwards reached England that Sullivan had escaped from custody immediately upon his arrival in Sydney.

Digitized by Google

It appears that he secreted himself on board a Dutch vessel bound for England. But the period during which he retained his freedom was short; for the captain discovering him, put back to Hobart Town, and he was conducted to a place called Goat Island, from which no subsequent effort enabled him to retreat.

JAMES HILLS, WILLIAM HARLEY, AND WILLIAM FISHER, *alias* CURLY BILL.

TRIED FOR BURGLARY.

THIS burglary was marked by circumstances of very considerable peculiarity.

The men whose names appear at the head of this article were indicted at the Kingston Assizes, on Thursday the 31st of March 1836, for a burglary in the house of Mrs. Mary Anne Long, at Chipstead, in Surrey, on the night of the 2nd of September 1835, and for stealing therefrom various articles of property.

The circumstances attending the robbery were well described by Mrs. Long at the trial. She said, "I am sixty-six years of age, a widow, and reside with my sister, Mrs. Scholefield, at Mint House, Chipstead, which is a lone house, situate between Gatton and Reigate: on the night of the 2nd of September last, I, Mrs. Scholefield, her son (Mr. Rankin), and a female servant, were the only inmates; we retired to bed after having seen that all the premises were properly fastened; I slept with my sister, and about ten minutes past one in the morning I was awoke by hearing the dog, which was kept in the yard, barking violently; I got up and opened the bed-room window, and thinking that some persons were about the premises, I hallooed out that they had better keep out of the way, or I would put a bullet into their stomach, which was not a pleasant thing; I did so to intimidate them, and then retired to bed; shortly after I heard a noise, and again got up; on going to the window I saw a man trying to get in; he had smashed the pane, and was armed with a stake; I seized hold of the stake, and tried to wrest it from him, but he was too strong for me, and struck me a violent blow on the head, inflicting a wound of an inch and a half in length; he also struck me on the shoulder and hand, of which I lost the use for some time; I then called to my nephew, Mr. Rankin, and he came armed with a cutlass; he made a cut at the man, but the night being very dark, and there being railings at the window, he missed him, and he got down the ladder and went away; I then lit three or four candles, and went down stairs for my nephew's gun; I brought it up, but recollecting that I had left the powder and ammunition, I again went down for it, and locked the pantry-door after me; I returned up stairs, and my nephew loaded the gun; about a half or three-quarters of an hour afterwards we heard a great noise outside the house, and the panel of the south door looking out upon a meadow was smashed in; we heard the voices of six or seven men, who entered the house; they remained down stairs three-quarters of an hour; I slept in a room at the end of a passage, and my nephew's bed-room was opposite; there is a door at the top of the passage leading down the stairs; we placed ourselves in the

Digitized by Google

passage; we then heard one of the men say, 'Now we will go up stairs,' and I heard what I supposed to be a man crawling on his hands and knees —I judged so from the scraping his toes made along the floor-cloth; Mrs. Scholefield was very much alarmed, and cried out for mercy; the men said, 'Give us 50*l.* or 30*l.* or 20*l.*;' I told them that all my money was in the bank, and my plate at my banker's: one of the men said, 'I will murder you;' and another man said, 'We will murder you all;' they then forced in the panel of the door, and a man at the bottom of the stairs said, 'Go it, my boys:' Mr. Rankin dropped on his knee, and presented the gun through the panel; I could only see the rim of the hat of a man who appeared to be stooping down; Mr. Rankin fired, and the men fell back, and the candle went out; they all then went away; we waited for some time, and the dog having ceased barking, I and my nephew proceeded down stairs, he armed with a gun, and I carrying the cutlass; we fastened up the door as well as we could, and then went into the parlour, and found that the men had drunk two bottles of wine; we also found the cores of fourteen apples; they had taken away a watch, some cruet-frames, and other articles."

This statement of facts was corroborated by the testimony of Mrs. Scholefield and Mr. Rankin, who added their positive declaration as to the identity of the prisoners Hills and Harley. The former was the man who had been shot; and on his being taken into custody, shot of the same description as that which had been fired from his gun by Mr. Rankin were found in his breast. Fisher had been apprehended at the same time, and in company with the other prisoners; but there appeared to be considerable doubt whether he had been personally concerned in the burglary.

The jury found Hills and Harley "Guilty," but acquitted Fisher.

Mr. Justice Vaughan, in passing sentence of death upon the prisoners, remarked upon the great courage which had been displayed by Mrs. Long and Mr. Rankin, and directed that they should receive a reward as a mark of the high estimation in which he held their conduct.

After their conviction the prisoners were removed to Horsemonger-lane jail, where they paid the most assiduous attention to the spiritual consolation offered to them by the Rev. Mr. Mann, the chaplain.

On Monday, the 11th of April, the last sentence of the law was carried into execution upon the person of the convict Harley, a respite during pleasure having been granted on the previous day in the case of his fellow-convict Hills. The convict maintained a deportment of great firmness, unmixed, however, with any symptoms of bravado, or unnatural courage. He appeared sincerely penitent and met his fate with becoming resignation.

The sentence of Hills was eventually commuted to transportation for life, in consequence of some favourable circumstances which transpired.

Both convicts were men of an inferior station, but there was good reason to believe that in the course of the proceedings of their lives they had been guilty of more than one offence of considerable enormity.

Digitized by Google

ROBERT SALMON.

CONVICTED OF MANSLAUGHTER, IN ADMINISTERING MORISON'S PILLS.

THIS case arose out of the extremely dangerous practice of administering quack medicines. Morison's vegetable pills have been for many years an article from the sale of which immense profits have been derived; but it is to be regretted that in more than one instance the life of the patient has been sacrificed, from their undue and improper use.

At the Central Criminal Court Sessions, which commenced on Monday the 4th of April 1836, Mr. Robert Salmon, a medicine-vendor in Farringdon-street, was indicted for the manslaughter of Mr. John M'Kenzie, by administering to him certain large and excessive quantities of pills, composed of gamboge, cream of tartar, and other noxious and deleterious ingredients.

The deceased, it appeared, was the master of a vessel, and lived in the neighbourhood of the Commercial-road. He was induced to take some of Morison's pills as a purgative, upon the representations of a Mrs. Lane, a woman who was employed by his wife as a sempstress, who sold the Hygeian medicines; and subsequently Mr. Salmon's aid having been claimed, on account of his suffering from rheumatism in the knee, he recommended increased and still-increasing doses, until at length the deceased became so ill as that his life was placed in jeopardy. Medical aid was now called in, but it was too late, and death soon put an end to his sufferings. A *post-mortem* examination left no doubt that the medicine prescribed by the prisoner had been the cause of this termination of the case, and the present indictment was in consequence preferred.

On the part of the defendant a great many persons were called from all parts of the kingdom, who stated that they had taken large quantities of these pills, with the very best results, as a means of cure for almost every species of malady to which the human frame is subject. One person stated that he had taken no fewer than twenty thousand of them in two years, and that he had found infinite relief from swallowing them in very large doses.

Mr. Justice Patteson left the case to the jury, who had to decide upon the facts which had been proved; and after about half an hour's consideration they found a verdict of "Guilty," with a recommendation to mercy, upon the ground that the defendant was not the compounder, but the vendor only of the medicines.

On the following Saturday, the 9th of April, the defendant was brought up to receive judgment. The learned judge having sentenced him to pay a fine of 200*l.*, added, "I think it right to caution you, that in the event of your being again found guilty of conduct of a similar description, the character of your offence will be materially altered. I hope that the punishment which is now inflicted on you will deter others from rashly administering medicines, with the nature of which they are unacquainted, in large quantities, as the result may be fatal."

The trade in Morison's pills is, however, still carried on to a very great extent, and Mr. Salmon continues one of the largest agents for the sale of the medicine in the metropolis.

Digitized by Google

HENRY WILLIAMS.

TRANSPORTED FOR BURGLARY.

THE case of this prisoner is remarkable only for his singular and daring escape from Newgate after his conviction. He had been tried at the Central Criminal Court Sessions, in the month of July 1836, for a burglary at Islington, and the offence being clearly brought home to him, he was convicted and sentenced to death, in obedience to the requisitions of of the then existing law. On Friday the 22nd of July, he succeeded in effecting his escape from the condemned yard, in which he was confined.

The prisoner, it appears, had been brought up to the trade of a sweep; but naturally disinclined to follow a steady and honest course of life, he quitted the business to which he had been educated, but made his aptitude for it subservient to a new avocation. He joined with a gang of fellows of bad character, who pursued a system of plunder to gain a livelihood, and with them he adopted a means of effecting robberies, as remarkable as it was novel. Procuring access to the roof of an empty house, they would fix upon any other house in the row, from which they might hope to obtain a good booty, and one of them descending the chimney, he would generally succeed in carrying off such a prize as well re-paid his daring. The burglary for which Williams was committed, however, was one of an ordinary character; but while in jail he still found his powers of climbing of use to him. It appears that he was confined in the condemned yard, with two other prisoners, and on the 26th of July, the day of his escape, while his companions were reading in the room appropriated to their use, he managed to work his way to the roof of the jail by means of his hands, back, and knees, sweep-like, up the angular corner of the building. The ascent, to a person of his accomplishment in this particular line, was comparatively easy, by reason of the roughness of the face of the wall, and he had soon gained the top of the building, in spite of all the obstacles, in the shape of chevaux-de-frise, and iron spikes, which presented themselves. To traverse the roof of the prison and gain the houses in Warwick-lane was the work of a very few minutes, and availing himself of an open sky-light, he dropped through it. To his astonishment, he found himself confronted with a woman who was at work in the room into which he had fallen; but speedily taking advantage of her alarm, he slipped past her, and had reached the open street before she had time to recover her scattered senses, or to give any intimation of her fright to the other occupants of the house.

Williams knew too well the value of his liberty to afford an opportunity for his re-capture, and he had soon quitted the vicinity of his late residence.

His want of means of support, or his unfortunate disinclination for an honest life, however, soon again placed him in the custody of his late keeper, Mr. Cope, the governor of Newgate. Within a fortnight after his escape, Mr. Cope received an intimation that he was in Winchester jail, upon a new charge of burglary, committed since he had gained his liberty in the

Digitized by Google

extraordinary manner which we have described. He, in consequence, proceeded to that place to receive his prisoner back into his custody, and in a few days Williams was once again lodged in his old quarters.

A humane consideration of his case, subsequently procured for him a commutation of his punishment to transportation for life.

GEORGE EDWARD PEACOCK.

TRANSPORTED FOR FORGERY.

THIS unfortunate young man, at the time of his conviction, was only thirty years of age, and he had, for a considerable period, carried on business in his profession as an attorney, in Chancery-lane. He was of a highly respectable family, residing in Yorkshire; and the forgery of which he was convicted, was that of a power-of-attorney for the transfer of stock, which formed the subject matter of the settlement of his brother, the Rev. Mr. Peacock, on his marriage with Miss Selina Willmar.

On Wednesday the 21st of September, 1836, the prisoner was placed upon his trial at the Central Criminal Court, upon this charge.

The evidence adduced against him consisted of proof of the execution of the deed of settlement, by which the Rev. W. A. Fountain, Mr. W. Watkins, and the prisoner, were made trustees for Mrs. Peacock, for an amount of 7,814*l*., in the three per Cent. Consols; and it was further shown that on the 7th of December, 1835, the stock was sold out by the prisoner, through the medium of Mr. Clark, a broker, a power-of-attorney being produced, signed with the names of Mr. Watkins, the Rev. Mr. Fountain, and the prisoner. The two former names subsequently proved to be forgeries; and it was ascertained that there were no such persons in existence as those who purported to have affixed their signatures as attesting witnesses to the execution of the power.

The case for the prosecution being closed,

The prisoner proceeded to address the court and jury from a written paper. He began by declaring that he was fully aware of his offence, and had never attempted to deny it; and the feeling by which he was influenced in avowing his guilt thus early was to save his relatives and friends from the pain which a full exposure of all the circumstances of the case must have caused them. He could, however, assure the jury, that necessity, not inclination, had led him to the commission of the act. He found himself surrounded by pecuniary difficulties, and the ruin with which he was threatened would not only have destroyed his professional prospects, but his wife and child, his aged and venerable parents, and respectable family, would have been involved in his misfortune. To save them and himself, he was induced to adopt the desperate expedient by which he was placed in his present situation. He considered, however, that he was only making a temporary use of the money, and that fact, he thought, must be apparent to every one, because, had he contemplated a felony, he might have at once absconded, instead of which he kept his ground for several days before and after the discovery took place. He should not trouble his lordship and the jury with a detail of his complicated troubles; but he

Digitized by Google

was desirous to advert to a few circumstances connected with his life, in order to show the difficulties in which he had been placed. The prisoner then went on to state, that he was admitted an attorney in the year 1830, and commenced business in London under the most cheering auspices, but he had not been long in practice when he lost 1500*l.* and was further compelled to pay 600*l.* in consequence of his having become security for a friend. He was then obliged to accept bills, in the hope of being thus enabled to extricate himself from his difficulties; but, unfortunately, this course only added to them, for when the bills became due, being unable to answer them, he was compelled to borrow large sums of money to meet his liabilities, and last year he found that he had incurred debts and suffered losses to the extent of 5000*l.* A great proportion, however, of the money he had borrowed was expended in the maintenance of his family and the support of his professional respectability. In order to redeem his losses, he conceived the plan of appropriating his brother's property to his temporary use; and such was his misplaced confidence in his own abilities, that he anticipated he should have been enabled, in a very short time, to emerge from his difficulties, and replace the money in the bank. He felt assured that, if he could prove to his brother his ability to do so, he would be perfectly satisfied, and he had not the most remote idea that the Bank of England would suffer any loss by the transaction. All his speculations, however, proved abortive. Loss succeeded loss, and at the time he was taken into custody, he was almost without a pound. Fallen, however, as he was from a situation of respectability to his present degradation, and sunk as he must appear in his own eyes and those of the jury, he nevertheless threw himself on their merciful consideration. His brother was now quite aware that it was his intention to have replaced the stock, and he most solemnly assured the jury that he had firmly resolved to do so. He begged leave to thank the Governor and Company of the Bank of England for granting him time to prepare for his trial, and he begged to repeat that he never contemplated a fraud on that establishment, and that, in fact, he had no intention to wrong any party. He did not, however, attempt to justify his motives, because, whatever might be the intention, it was neither an excuse nor a defence for an offence committed against the laws of God and man: that he had deeply suffered for his crime, the days and nights of remorse and mental agony he had endured might testify, and perhaps it might yet be his fate to suffer the still greater misery of being cut off from the world by a sudden and degrading death, to appear before his offended Maker with all his imperfections on his head, and all his sins to atone for. [Here the prisoner, who appeared deeply affected, was unable for some moments to proceed.] He trusted that the jury would humanely consider the awful situation in which he was placed, and the consequent disadvantages under which he unfortunately laboured. He implored them most earnestly to accompany their verdict with a recommendation of mercy, and that they would weigh and consider well before they decided on consigning a fellow-creature to a premature grave. He trusted that they would not forget he had a wife and child. (Here the unfortunate man dropped his head, and burying his face in his handkerchief, sobbed bitterly.) He hoped the jury would bear in mind, also, his two respectable and venerable parents, one of whom, bowed down by age and affliction, was tottering on the verge of the grave: and it was much to be

Digitized by Google

feared that the grey hairs of his other parent would be brought with sorrow to the tomb. Besides these ties, he had a large circle of friends, to whom his disgraceful end would afford a lasting pang. Let the jury, then, consider all this. Let them weigh well the consequences of their decision, and he hoped that they would be influenced by that humane and merciful feeling which they would wish to see exercised in their own cases. In conclusion, he prayed that the great and merciful Father, who read the secrets of all hearts, would influence their decision in favour of the humble, wretched, and repentant individual who pleaded for mercy before them.

Several most respectable individuals, including clergymen, barristers, merchants, and solicitors, came forward and gave the prisoner an excellent character for strict honesty, honourable and upright dealing in his profession, and the highest respectability of conduct in every relation of life.

The Lord Chief Justice summed up the evidence.

The jury having retired for about ten minutes, returned into court and delivered the following verdict:—"We find the prisoner Guilty; but the jury are unanimous in their wish to recommend him strongly to mercy, on account of his previous good character."

On Monday, the 26th of September, the prisoner received sentence of death; but a subsequent consideration of all the circumstances of the case procured for him a merciful mitigation of his punishment to transportation.

JOHN MINTER HART.

TRANSPORTED FOR FORGERY.

THE name of this person was long notorious in London, antecedent to the period of his conviction. He was well known as an advertising money-lender; and the schemes to which he resorted for the purpose of preying upon the unwary were as ingenious as they were iniquitous.

The offence of which Minter Hart was convicted was that of forgery. He was indicted at the Central Criminal Court on Thursday, the 16th of December, 1836, for feloniously forging and counterfeiting a bill of exchange for 500*l*., with intent to defraud the Rev. Charles Herbert Jenner.

It appeared that, in the previous month of July, the Rev. Charles Herbert Jenner, of Wenvoe, near Cardiff, Glamorganshire, saw an advertisement in the "Morning Post," offering to lend money, with a reference to Mr. Blake, 44, Haymarket. Wanting money, he directed a letter to Mr. Blake, and had an interview with the prisoner, who met him at Chislehurst, in Kent, where he was residing. He told him he wanted 200*l*., on personal security, for twelve months. The prisoner agreed to let him have it at five per cent. on his bill. He met him the next day at the house of his father (Sir Herbert Jenner), in Chesterfield-street, when the prisoner produced a stamp, at the same time showing what appeared to him to be a Bank-of-England check. The prisoner asked Mr. Jenner to write across the stamp, "Accepted—Charles Jenner;" but before he signed it, he saw

Digitized by Google

the prisoner write something at the left-hand corner; he did not notice what, but subsequently saw it was figures denoting 200*l.* The prisoner then took away the stamp, and said he would return with the money in half an hour. By desire of the prisoner, he made the bill payable at the Bank of England. On the bill being now produced, the figures 500*l.* appeared to have been substituted for those of 200*l.* He did not again see the prisoner, nor get any money, although he received several letters.—A Mr. John William Edwards proved that he had received the bill in question from the prisoner, having agreed to purchase it at 5*s.* in the pound. It was then only a blank acceptance, but there was a stain at the corner. The prisoner said it was as he had received it. He said it had been obtained from Mr. Jenner by a person named Elliott, and that he had offered it for sale to a Mr. Pook, who would only give 100*l.* for it. If the bill was paid, he, Edwards, was to give 50*l.* additional. The bargain was finally settled at a public-house at the corner of a court in Jermyn-street, and witness received the blank acceptance, and kept it in his possession for a week, when it was given to the prisoner to be drawn and endorsed. He returned it regularly drawn and endorsed with the name of "C. Taylor."

Other witnesses proved a fact which exhibited the boldness and ingenuity with which the prisoner had effected his object. It appeared, upon a chemical examination of the paper on which the bill was drawn, that that part of it on which, according to Mr. Jenner's statement, the figures "200*l.*" had been written, had been subjected to the action of a strong acid, the effect of which had been to remove all trace of the ink. The new figures, "500*l.*," had then been written in their stead, and the bill had been put in circulation as a security for that amount.

An objection was taken to the indictment on the ground that the facts proved did not show that any forgery had been committed, although it was admitted that there had been a fraud; but the learned judge gave it as his opinion, that the indictment was sustained, and the prisoner was found "Guilty."

His case subsequently formed the subject of discussion before the fifteen judges in the Court of Exchequer Chamber, when the conviction was declared to be good, and on Tuesday, the 7th of February, 1837, Hart was sentenced to be transported for life.

The prisoner, as we have already stated, had been long known in London as a successful cheat. The instance above referred to is not the only one in which, by his acts, he got himself into a situation of difficulty.

On the 14th of October, 1833, a coadjutor and agent of his, named Henry Palmer, was indicted at the Middlesex Sessions, charged with receiving ten bills of exchange for 500*l.* each, accepted by D. Astley, Esq., well knowing them to have been stolen. Mr. Adolphus stated the circumstances as follows:—

Mr. Dugdale Astley was the prosecutor; he was the eldest son of Sir J. Astley, M.P. for Wiltshire, and married the daughter of Sir T. Lethbridge, by whom he would be entitled, at some future day, to a large fortune; he was also the heir to an extensive property in his own person. Mr. Astley, the previous July, saw an advertisement in the "Morning Post," stating that a gentleman retiring from business had a sum of 20,000*l.* to lend at four-and-a-half per cent. interest to gentlemen of known property, or on bills of

Digitized by Google

exchange at a short date." Application to be made to Mr. T. Morton, 35, University-street, St. Pancras. He (Mr. Adolphus) should have thought that this was almost too vulgar to attract notice, but it caught the attention of Mr. Astley; and he being in want of a temporary advance of money, applied for the loan of 5000*l.*, at the same time describing his own and his wife's family connexions. Mr. Astley, at the time of making this application, was at his country house, Basing Park, Wiltshire, and shortly afterwards he received a letter, signed "J. Morton," but by a person whose real name would turn out to be Minter Hart, stating that he (Morton) would visit Mr. A. in the country, which he had accordingly done. A great deal of discussion ensued between them as to the terms on which the money was to be advanced; it was ultimately arranged that Mr. Astley should give his acceptance at short dates, which were to be renewed from time to time on the payment of six per cent interest. Hart, calculating on the success of the plot, had provided himself with ten six-shilling stamps, which he requested Mr. Astley to accept for 500*l.* each. This he simply and foolishly acceded to, and wrote across them—"Accepted; payable at Messrs. Praed and Co., bankers, 195, Fleet-street." Hart, overjoyed at his success, put the bills into his pocket, and immediately started, assuring the prosecutor that the money would be forthcoming in a few days. When he (Hart) had got home, he found that the prosecutor had not signed his name to the bills. He accordingly wrote him a letter, requesting a second interview, as there was an irregularity. This was granted, and day after day passed away, but no money was forthcoming. Nothing was heard of Mr. Hart or the bills. At length a letter was received, stating that the business could not be completed for a short time. Some days after this a letter was received from the prisoner (which first introduced him into the transaction), dated Hertford-street, May Fair, Aug. 16, and was to the following effect:—

"Sir,—I have received in payment your acceptance for 500*l.*, and have also been requested to discount another for the same amount, which, from the respectability of your family, I am inclined to do. Perhaps, therefore, you will have the goodness to inform me if the bills are all regular and right.

"I am, &c.,

"D. Astley, Esq." "Henry Palmer.

This letter Mr. Astley fortunately did not answer, but it raised his suspicions that all was not right; he accordingly made inquiries, and it was discovered that Hart and the prisoner were old friends—labourers in the same vineyard. This trick having failed, the prisoner then resorted to another; he thought that Mr. Astley would naturally wish to conceal the transaction from his own and his wife's family; he therefore sent him a copy of a letter which he (Palmer) said he intended to send to his (Mr. Astley's) father, and Sir Thomas Lethbridge, his father-in-law. The letter was to the following effect:—

"Sir,—Your son, Mr. Dugdale Astley, has, to my own knowledge, accepted bills to the amount of 5,000*l.*, without receiving one penny value for them; part of them are in circulation, and the others shortly will be; but, from the circumstances that have come to my knowledge, they might

Digitized by Google

be all bought up for a small sum, and thereby prevent an exposure of the transaction in a court of justice. If you think this proposal worthy your notice, and will put an advertisement in 'The Morning Chronicle,' addressed to O. P. Q., you shall hear from me.

"Yours, &c.

"HENRY PALMER."

This not being noticed immediately, the letters were addressed to Sir J. Astley and Sir T. Lethbridge. These letters, it would be proved, were in the handwriting of the prisoner. An advertisement was subsequently put into "The Morning Chronicle," requesting O. P. Q. to meet the parties at the office of their solicitors, Messrs. Henson and Co., which he accordingly did, and had an interview. Mr. Henson asked the prisoner what he expected to receive by giving up the bills?—Palmer replied, with the greatest effrontery, "Twenty shillings in the pound; they are worth every farthing of it." This, of course, was indignantly refused, and he went away. The following day the solicitor of the prisoner called upon Mr. Henson, and asked if Mr. Astley would give 10*s.* in the pound for the bills? This was refused. He then offered to take 5*s.*, but this offer was also refused, and the negotiation dropped.

To support this case, a clear and connected chain of evidence was produced, showing the connexion of the prisoner with Hart, and leaving no doubt as to the conspiracy which had been formed to rob the prosecutor. The prisoner conducted his own defence, and cross-examined both the prosecutor and the other witnesses; and from the answers of the former it appeared that he had become acquainted with Mr. Smart, of Bridges-street, Covent Garden, and other persons not strictly creditable. The main facts of the charge were, however, not shaken, and the prisoner was found guilty, and sentenced to be transported for fourteen years—a sentence which so shook his nerves, that he fell in a fit, and was removed from the bar in a state of insensibility.

Hart, it will be perceived, was intimately connected with the case to which we have referred, and he too was shortly afterwards apprehended upon the charge of his participation in the offence, of which his agent had been found guilty. Having undergone several examinations before the magistrates, he was committed for trial; but upon application to the Court of King's Bench, the indictment was removed by *certiorari* from the Middlesex Sessions to the Old Bailey. On Monday, the 2nd of December, 1833, Hart was put upon his trial; but an objection being taken to the indictment, upon the ground that there was no felony proved, by reason of there having been nothing stolen which was the property of Mr. Astley, a verdict of "Not guilty" was returned upon the direction of the learned judge. Hart was then discharged; and Palmer, whose conviction, it followed, had been illegal, was also subsequently liberated.

Having detailed the circumstances of these two cases, it is unnecessary that we should go into any further description of the habits and practices of Hart and his associates, because their proceedings were always so much of the same character, that their statement would be a mere repetition of the facts which we have related. Hart was, in pursuance of his sentence, carried to Van Diemen's Land; but a short residence in that colony, aided, doubtless, by change of habit and situation, brought him to the grave.

Digitized by Google

We regret that we are not able to present our readers with any minute account of the early life of this notorious person. At the time of his conviction he was thirty-two years of age, and he described himself as a solicitor. There is, we believe, good ground for supposing, that this description of his situation in life was a correct one, and that he had been actually educated for the legal profession, and admitted a member of the body of attornies. The nest of swindlers, with whom he was associated, was almost entirely broken up by his conviction. Their tricks and cheats had often been the subject of remark; and, considering the notoriety which their schemes had obtained, it is surprising that they should have been so long successful.

JOHN PEGSWORTH.

EXECUTED FOR MURDER.

THE murder of which this unfortunate man was convicted, appears to be entirely unjustified by any of those circumstances, which, in some instances, form a palliative, small though it be, for offences of a similar description.

The object of his crime was Mr. John Holiday Ready, who carried on the business of a tailor and draper, at No. 125, Ratcliffe Highway. It appears that Pegsworth was a man in a decent station of life, occupying a situation as messenger in the tea-department of St. Katherine's Docks; and he at one time also pursued the trade of a tobacconist, in a shop opposite to that of Mr. Ready, No. 69, Ratcliffe Highway, which, however, only a short time before the murder he had given up. In the course of his residence here, he became indebted to Mr. Ready in the amount of 20*s*., for a jacket which had been supplied to him for his son; but although he had been frequently pressed to pay the sum which was due, he always declined upon some frivolous ground. At length Ready, determined no longer to wait for his money, summoned his debtor to the Court of Requests, and Mrs. Ready having proved the debt on the 10th of January, 1837, an order was made on the defendant to pay the amount with costs. On Pegsworth returning home, he expressed himself much exasperated at the conduct of Ready, and said that he would be "the death of him." His wife endeavoured to pacify him, but in vain; and he went out, vowing vengeance against the man who, he said, had injured him. Proceeding through Ratcliffe Highway, he purchased a large knife, such as would be used in killing a pig, at the shop of a cutler, and armed with this formidable weapon he went direct to the house of Ready. He entered the shop, and calmly and coolly conversed with Mrs. Ready; and her husband having invited him to sit down in the back parlour, he at once advanced towards him. For a few minutes he continued in conversation upon the subject of the debt, when presently he demanded to know whether his creditor intended to proceed upon the judgment which he had obtained? Mr. Ready answered decidedly in the affirmative, upon which he suddenly drew forth his knife, and stabbed the unfortunate man in the right breast. The murdered man exclaimed that he was stabbed, and instantly expired; while his wife rushed frantically into the street, as soon as she discovered

Digitized by Google

what had occurred, calling loudly for assistance. Several persons instantly ran into the house, and they found Pegsworth in the act of withdrawing the knife from the wound, but making no effort whatever to escape. He was immediately secured, and surgical aid was called in, but it was found that the knife of the assassin had passed through the principal arteries into the lungs, and that the unfortunate Mr. Ready was quite dead.

At a coroner's inquest held on the body of the deceased on Thursday the 12th of January, a verdict of "Wilful Murder" was returned against Pegsworth, and he was fully committed to Newgate for trial. Before his trial Pegsworth confessed that he had been guilty of the act with which he stood charged, but he declared that he was intoxicated, and in a high degree of excitement at the time. He professed the most sincere repentance for his act, and declared his intention to pass the remainder of his short life in prayers for forgiveness.

On Friday the 3d of February, the prisoner was arraigned on the indictment which had been preferred against him at the Central Criminal Court. He immediately confessed himself guilty of the offence imputed to him, and notwithstanding the humane interference of the learned judge refused to withdraw that plea.

On Tuesday the 7th of February, the prisoner was brought up to receive sentence, when the recorder addressed to him the following observations: "Let me implore you (said he) to bethink yourself of the awful situation in which you stand, on the brink of eternity and of the grave, beyond which there is no room for repentance. The legislature, in cases of murder, has, by a recent statute, interposed an increased interval between conviction and condemnation, and between condemnation and the final execution of the dreadful sentence of the law. It has done so in its humanity, and consistently with sound policy; but it has extended to the murderer a mercy which the murderer has not shown to his victim. The rash hand of the guilty individual who, without warning, hurries a fellow-creature to another world, cuts off from him the opportunity of approaching his Maker in prayer, or of preparing for that judgment which is painful for the best, and overwhelming for those who are not ready. [Here the prisoner became visibly affected.] You will be afforded an interval for seeking that mercy at the throne of God which you cannot expect from the laws of man." The learned gentleman then passed the sentence of death upon the prisoner.

On Wednesday, the 1st of March, the case of the prisoner was reported to his Majesty, and he was ordered for execution on the following Tuesday the 7th of March.

On that day the sentence was carried into effect; the wretched convict meeting his fate with becoming resignation.

CHARLES W. PENRUDDOCK.

CONVICTED OF AN ASSAULT.

At the Central Criminal Court, on Wednesday the 1st of February 1837, Charles Wadham Wyndham Penruddock, was indicted for assaulting and wounding Mr. Thomas Hardy, with intent to maim and disable him.

The prisoner, it appeared, was a medical student, and a candidate for

Digitized by Google

admission to practise as an apothecary. On the 22d of December 1836, he went to Apothecaries' Hall for the purpose of undergoing the customary examination, when Mr. Hardy, Mr. Este, Mr. Randall, and Dr. Merriman, were the examiners. The usual course of questions was taken, but the prisoner, by his answers, showed himself to be ignorant of many necessary branches of his profession. A question being put to him by Mr. Este, the prisoner did not immediately answer it, upon which Mr. Randall offered some explanatory observation. With considerable violence of tone and manner, the prisoner asked, "How the devil he could answer, if they all badgered him with questions?" And that question being passed over, the inquiry proceeded. Mr. Este, who was the chief examiner, put several points to him, upon which, however, he seemed unable to give any explanation, and which Mr. Este partly answered himself; but Mr. Hardy suggested, that this was not the proper course of examination, and that the real fitness of the prisoner to receive the certificate which he sought to obtain ought to be ascertained before it was granted to him. Some new questions were then proposed which he answered incorrectly; and the prisoner, apparently seeing that he should be turned back, declared that he never could answer questions, even at school. Mr. Ridout observed, that it was only by questions that the examiners could determine the qualifications of the candidates for certificates; that in the performance of their duties they were compelled to be strict, and that they could have no wish to injure him or any other young man. The prisoner remarked that Mr. Ridout and Mr. Este had conducted themselves like gentlemen to him, and he asked that they would examine him in anatomy, for he had studied that branch of his business with great care, and he had almost lived in the dead-house. This, however, he was told, was not within their course of examination, and that unless he was acquainted also with Chemistry, Therapeutics, and Materia Medica, he was not competent to practise. The prisoner remarked that in a pecuniary point of view their licence was of no importance to him, because he was going to leave the country; but he added, with much violence, that "he would not be disgraced in the eyes of his family by such a set of fellows as they were—he would rather die first, and would swing for it." Mr. Hardy at this moment was standing behind him, but seeing his excited state he moved three or four paces from him. The prisoner turned round to him, and looking steadfastly in his face, said, "You are one of those who have been hard upon me:" and then drawing a life-preserver heavily loaded with lead from his pocket, he struck him on the forehead, lending to the blow his utmost power. Mr. Hardy was stunned by the attack and reeled away; and Dr. Merriman and Mr. Este rushing upon the prisoner, they also received blows which were dealt with great force. The prisoner was immediately given into the custody of a policeman, when, on his being searched, a small bottle of gin, the exciting cause of his violence, was found in his pocket.

Upon subsequent examination, Mr. Hardy, Mr. Este, and Dr. Merriman, were discovered to have sustained severe contusions, the blood flowing rapidly from the wounds of the two former gentlemen.

The defence set up was, that there was nothing to show distinctly that the blows had been inflicted by the life-preserver, but that it was quite within the bounds of possibility that the knuckles of the hand only of the prisoner had come in contact with the gentlemen who had been assaulted.

Digitized by Google

The prisoner was described as a member of a highly-respectable and honourable family in the West of England, and as being remarkable for the kindness of his disposition, and the mild quietude of his manners. Dr. Seymour, and other persons of high respectability, gave the prisoner a most excellent character for humanity, and the jury returned a verdict of "Not Guilty."

Mr. Penruddock, however, was immediately held to bail to appear to answer the charge of common assault, of which it was admitted he had been guilty.

For this offence he was tried at the London Sessions, on Wednesday the 5th of April following, and a verdict of "Guilty" having been returned, he was sentenced to be imprisoned for twelve months in Giltspur-street Compter, and on his discharge to enter into his own recognizance in 200*l.*, and to find two sureties in 100*l.* each, that he should keep the peace.

JAMES GREENACRE,

EXECUTED FOR MURDER; AND

SARAH GALE,

TRANSPORTED AS BEING ACCESSORY TO THE FACT.

In few instances has the public mind ever received so severe a shock, as that produced by the discovery of the barbarous and revolting murder of which Greenacre was guilty. The mere mention of the name of this atrocious malefactor is a sufficient introduction to his case; and without farther comment we shall proceed to describe the dreadful circumstances by which his crime was surrounded.

The first cause of suspicion of the murder having been committed arose from the discovery of the mutilated remains of a woman in the Edgeware road. It would appear that in the year 1836, some dwellings, called the Canterbury Villas, were in progress of completion, situated in the Edgeware-road, at a distance of about a quarter of mile from the spot at which the Regent's Canal emerges from under the pathway. Five of these had been finished, and the gardens in front of them were protected from the public highway by a wall about ten feet high, which had not yet been extended to those houses in which the workmen were still employed. The materials for building lay along the side of the footpath, and in one of the finished houses, the only one which remained unoccupied by tenants, a man was lodged by the builder as a superintendant of the works, and as general watchman over the property which lay there. The severity of the weather towards the close of the month of December compelled the labourers to desist from work, and from Saturday the 24th of the month until the following Wednesday few persons visited the spot. On the latter day, the 28th of December, a man named Bond, a bricklayer engaged upon the buildings, visited his place of work; and about two o'clock in the afternoon was proceeding in the direction towards Kilburn, when his attention was attracted by his perceiving a package enveloped in a coarse cloth or sack, which appeared to have been carefully placed behind a paving-stone which was resting there, for the purpose of concealment. He removed the stone in order to obtain a more distinct view of the package, and was terrified to observe a pool of frozen blood, in such a position as exhibited that it had escaped through the wrapper of the parcel. In a state of great

Digitized by Google

alarm he called the superintendant of the works, and another person, to the place, and they determined at once to open the package to ascertain the nature of its contents. Their astonishment and horror may easily be imagined, when they found that it consisted of a portion of the remains of a human body. The trunk only was there, the head and legs having been removed. Fearfully excited by this shocking discovery, they at once called in the aid of the police; and Pegler, a constable on duty, took charge of the dreadful package, and procured its immediate conveyance to the workhouse of the parish of Paddington. It was there at once submitted to the inspection of Mr. Girdwood, the surgeon of the district, who made a most minute examination of all its parts. It proved to be the body of a female, apparently about fifty years of age, and who from the appearances presented by the arms and hands, had evidently been employed in a laborious occupation. The head had been severed from the trunk in an awkward manner, the bone of the neck having been partly sawed through, and partly broken off; and the legs had been removed in a similar irregular way, the one at a distance of about four inches, and the other at a distance of about five or six inches from the hip-joint. The body itself presented a healthy aspect, but exhibited a malformation of a peculiar nature, which eventually proved of material importance in proving its identification, but to which it would be indelicate more specifically to allude. The result of the investigation of Mr. Girdwood, however, clearly showed that the deceased person had not met her death from any illness, and that therefore the presumption was that she had been murdered, and that the mutilation of her body had not taken place until subsequently to her decease, when, in all probability, means had been adopted by the murderer to conceal the identity of the person, as well as to dispose of her remains.

An occurrence of so extraordinary a nature, it may well be supposed, excited a degree of consternation and horror throughout the metropolis of the most fearful description; and the dreadful mystery in which the transaction remained wrapped for a considerable time, the remains of the deceased and her situation in life being alike unknown, tended in no small degree to extend the universal anxiety which prevailed. Inquiries of the most minute and searching description were made with a view to ascertain the means by which the mangled remains had been placed in the position in which they were found; and suspicion seemed to attach to a chaise-cart which had been seen to draw up near the spot on the previous Saturday night; but all the vigilance of the police failed, as well to discover the owners of this vehicle, as the murderer. The body had been wrapped up in a piece of blue printed cotton, which appeared to have formed a child's frock, but which was worn to rags, an old towel, and part of a small white shawl, over which was placed a piece of sacking; but no marks were visible on either of the articles which could at all tend to afford any clue to their former possessor.

An inquest was held on the body on Saturday the 31st of December, at the White Lion Inn, Edgeware-road; but although every witness was examined, whose evidence tended to throw the smallest light on the occurrence, the jury were at length compelled to return a verdict of "Wilful Murder against some person or persons unknown." A minute description of the appearances and aspect of the body was then taken by Mr. Girdwood; and in the course of the ensuing week, it was committed to the

Digitized by Google

grave in Paddington churchyard, no prospect being yet afforded of the discovery of the remaining portions of the murdered woman's frame.

The public excitement, however, was soon afterwards wound to the very highest pitch, by a notification being given of the finding of a human head in a place called the "Ben Jonson Lock," of the Regent's canal, which runs through Stepney fields. Universal credit at once attached it to the body which had been already discovered, and no time was lost in exhuming those remains, in order to ascertain the truth of the suspicions which were entertained. This new discovery had been made on the 7th of January 1837, under circumstances of a remarkable character. A barge had entered the lock for the purpose of passing through it, and the lockman was engaged in closing the flood-gates at the tail of the lock, when he found that there was some obstacle which prevented their completely meeting. He remarked that he had no doubt that it was the carcase of a dead dog, and called to his assistant to bring him a long instrument called a hitcher, shaped like a boat-hook, usually employed for similar purposes, to remove it. Having made several ineffectual attemps to bring it to the surface of the water, he at length fixed his hitcher in the substance; and upon raising it from the water, it was seen to be the head of a human being. It was instantly brought on shore, and the circumstance communicated to the police, by whom the head was conveyed to Mr. Birtwhistle, a surgeon, for examination. His report stated that the face wasdisfigured with bruises and lacerations, and that the lower jaw was broken—injuries which were without doubt the result of the exertions of the lockman, first to close the gates, and secondly, to bring the head out of the water, but that there was appearance of a bruise on the eye inflicted during life; and further, that the head appeared to have been severed from the body in an awkward manner; the cervical vertebræ being sawed through in a rough way, evidently denoting that it had not been done by any surgeon. The exhumation of the body having now taken place, the necessary comparison was made, and Mr. Girdwood at once declared that the head and the trunk were portions of the same frame.

Although some public satisfaction was afforded by this most singular event, still no clue whatever appeared yet to have been found to conduct the police to the murderer; for that murder had been committed there was no doubt. The expression of the face was so much altered and disfigured since the death of the woman, that little hopes were entertained of the possibility of its identification. Thousands of persons inspected it, prompted by curiosity or a desire to secure the ends of justice, by pointing out the individual who had been murdered; and although frequent reports were circulated, that the features had been recognised, no real evidence was obtained as to the person whose remains had been discovered. Decomposition in the head shortly commenced; and it was deemed advisable to adopt measures to prevent all remaining traces of the features being destroyed, and Mr. Girdwood was instructed to take the necessary steps to secure this object. The head was accordingly placed in spirits, and was preserved at Mr. Girdwood's, where it remained open to the inspection of all persons who it was supposed would be able to afford any information upon the subject.

The mystery which surrounded the case, however, seemed to become greater every day. The inquiries of the police for the remainder of the body

Digitized by Google

were quite unsuccessful; and the difficulties which existed, arising from their total ignorance of the quarter to which their investigation should be directed, appeared to leave small hopes of its eventual dissolution. Until the 2nd of February this obscurity still prevailed; but then accident again interfered to bring to light the remaining members of the body of the murdered woman.

On that day James Page, a labourer, was employed in cutting osiers in a bed belonging to Mr. Tenpenny, in the neighbourhood of Cold Harbor-lane, Camberwell, when in stepping over a drain or ditch, he perceived a large bundle lying in it, covered with a piece of sacking, and partly immersed in the water. His curiosity prompted him to raise it, and he saw what appeared to be the toes of a human foot protruding from it. He became alarmed and called for his fellow-workman, who was only a short distance off; and upon their opening the package, they found it to contain two human legs. These, like the head, were transmitted to Mr. Girdwood for examination, and proved to be portions of the frame which had been discovered in the Edgeware-road. Thus had three discoveries, each more remarkable than the last, produced the component parts of the body of the deceased; but the further interposition of the all-powerful hand of the Almighty was yet wanting to disclose the name and character of the murdered woman, as well as to point out her inhuman murderer. Intense anxiety was universally manifested by the public to unravel the mystery in which the dreadful transaction was enveloped; and every minute circumstance connected with the affair was sought after with the most astonishing avidity. Investigations of the most searching description were carried on by the authorities, but every inquiry proved fruitless.

That discovery which alone was wanting to satisfy the public mind was, however, at length made. On the 20th of March, Mr. Gay, a broker residing in Goodge-street, Tottenham-court-road, applied to Mr. Thornton the churchwarden of the parish of Paddington, for permission to inspect such of the remains of the deceased woman as had been preserved above ground. He founded his application upon the fact of the sudden disappearance of his sister, whose name was Hannah Brown, and who having quitted her home on the afternoon preceding Christmas-day, had not since been seen or heard of. A request so reasonable was at once complied with; and upon Mr. Gay seeing the head, which had been placed in spirits, he at once declared his belief that it was that of his unfortunate relation. Other persons who had been acquainted with Hannah Brown also came forward to express their opinion as to her identity; and from the statements which they made upon the subject of her habit of body, and the opinions which they expressed in reference to the identity of the head, no doubt remained of her being the individual who had been so inhumanly destroyed.

From the inquiries of the police, it was elicited that the unfortunate woman had received with favour the advances of a man named James Greenacre, to whom she was about to be married; and that on Christmas-eve she had quitted her lodgings in Union-street, Middlesex Hospital, in order to accompany her intended husband to his house, in Carpenter's-buildings, Camberwell, preparatory to their union on the ensuing Monday. Greenacre was the person in whose company she had been last seen; and to him, therefore, the authorities naturally turned for information, as to the

Digitized by Google

manner in which they had parted, if they had parted at all, before her death. A warrant was granted by the magistrates of Mary-le-bone Police-office for the apprehension of this man; and after considerable difficulty he was at length taken into custody on the 24th of March, 1837, at his lodgings at St. Alban's-place, Kennington-road, together with a woman named Sarah Gale, with whom he cohabited, and her infant child.

On Monday the 25th of March, an extraordinary degree of excitement prevailed throughout the parishes of Paddington and Mary-le-bone, in consequence of the apprehension of these persons being made known. At an early hour the greater part of High-street was thronged with persons who were anxiously awaiting the arrival of the prisoners. A coach was, at a quarter-past twelve o'clock, seen to approach the police-office, from which Greenacre and Mrs. Gale were taken, and conducted through the magistrates' private entrance to the office. Upon their being placed at the bar, Greenacre appeared to be a man about fifty years of age, of middle height, and rather stout in figure. His aspect was forbidding, and he conducted himself with considerable firmness of demeanor. He was wrapped in a brown great-coat, and returned the gaze of any one who looked at him, with an air of insolent bravado. Towards the close of the examination, however, he appeared to be oppressed with a sensation of weakness, a circumstance which was attributable to his having, during his sojourn in the station-house, attempted to strangle himself with his pocket-handkerchief—an attempt, the effects of which were only removed upon the introduction of surgical assistance.

The prisoner Sarah Gale was between thirty and thirty-five years of age; she was tolerably well dressed, and had with her a child between four and five years old; she seemed quite unconcerned at her situation, and was the object of as much, if not more attention, and interest than her fellow-prisoner and paramour.

In the course of this and the succeeding examinations of the prisoners, evidence extending to a very great length was procured. A succinct narrative of the proceedings, however, will be perhaps better understood than a lengthy statement of the testimony of each particular witness; and to such a descriptive account, therefore, we shall confine ourselves. The various witnesses having been examined, whose testimony was requisite to prove the circumstances attending the discovery of the body, the head, and the legs of the deceased woman, which we have already described, proof of the identity of those remains was given; and upon this subject the peculiarity of the formation of the body, to which we have already alluded, tended at once to dispel all doubts, if any such existed. Mrs. Brown, it then appeared, had lived for about a year-and-a-half before her death at No. 45, Union-street, Middlesex Hospital, where she gained a living by taking in washing and mangling. While in this situation she became acquainted with Greenacre, and the intimacy after a while ended in an offer of marriage on his part, which was accepted by her. Mr. and Mrs. Davis, of No. 45, Bartholomew-close, Smithfield, were friends of Mrs. Brown, and were made acquainted by her with the nature of her connexion with Greenacre; and they acceded to a proposition which was made to them, that Mr. Davis should give away the bride, and that their daughter should act as bridesmaid. The day after Christmas-day was fixed upon as the day of the wedding, and the banns were in due course put up at the

Digitized by Google

church of St. Giles, Camberwell, preparatory to the nuptial rites. On the 22nd of December, Mrs. Davis last saw Hannah Brown. The latter then called at her house with Greenacre, and they at that time appeared perfectly happy and "sociable," and, as it seemed, eagerly wishing for the wedding-day. They remained to supper and went away together, having immediately before their departure spoken of an intention which they had, after their marriage, to settle at Hudson's Bay. On the afternoon of the 24th of December, Mrs. Brown quitted her lodgings in Union-street, with Greenacre, in a coach, and on the same evening they were seen together at the residence of the latter, in Carpenter's-buildings. Mrs. Brown had previously disposed of what little property she possessed; but as the coach would not contain all her personal movables, she took away the key of her door with her, saying, that she should return for them at night. She did not return, however, and Mrs. Corney (her landlady) did not again see her alive. On the night before Christmas-day, Greenacre called upon Mrs. Davis, and inquired whether she had seen anything of Hannah Brown? She answered that she had not; and Greenacre then said that he found, upon inquiry, that Mrs. Brown had deceived him as to her property, and that it would not do for them to plunge themselves into poverty by marrying. At this interview he appeared agitated and angry, and his countenance presented an aspect of such peculiarity, that it was remarked by Mrs. Davis to her husband. On the Tuesday after Christmas-day, Greenacre also called upon the brother of Mrs. Brown; and he acquainted him also with the fact of the postponement of the marriage, saying that he and his intended wife had quarrelled with respect to her property, and that she had in consequence quitted his house, and he had seen nothing of her since.

In the meanwhile, the continued absence of Mrs. Brown from her lodgings excited some apprehension in the minds of her friends; but it was not until the 27th of March, (as we have already stated), that they exhibited any fears of the probability of the murdered remains which had been found being those of their unfortunate relative. An inspection of those remains, however, at once informed them of the melancholy cause of her disappearance.

The apprehension of Greenacre and Gale took place under circumstances which tended to confirm the suspicions of their guilt of murder, and to give conclusive evidence of their perfect cognizance of the fact of the death of the deceased. Inspector Feltham was the person by whom this capture was effected; and he took the prisoners into custody at a small house, No. 1, St. Alban's-place, Kennington-road, accompanied by a police constable of the L division. He proceeded to that house and found them in bed together; and upon his entering the room, he informed them of the object of his visit. Greenacre at first denied all knowledge of any such person as Hannah Brown; but subsequently, upon his being further questioned, he admitted that he had been going to be married to her, although he did not then know what had become of her. The prisoners having dressed themselves, Greenacre declared that it was lucky that the officer had gone on that night, for that they were about to sail on the next day for America, a fact which appeared to be true, from the appearance of a number of boxes, which stood in the apartment, ready packed and corded for travelling. A minute examination of the contents of the trunks, afforded highly important evidence.

Digitized by Google

Many articles were found in them, which were known to have belonged to Mrs. Brown; but besides these, some remnants of an old cotton dress were discovered, exactly corresponding in pattern and condition with the pieces in which the body had been wrapped, on its being first seen in the Edgeware-road.

Subsequent inquiries afforded additional proofs in the case, implicating both Mrs. Gale and Greenacre. These consisted in the discovery of evidence as to the proceedings of the prisoners, on the night of Christmas-eve, and the following days. Greenacre, as we have already stated, was observed on Christmas-eve to take home his intended wife to his house in Carpenter's-buildings. Previously to this time, Mrs. Gale had been living with him there as his wife; but she appears to have been sent away on the morning of the 24th of December, in order to made room for the new-comer. On that night some noise and scuffling was heard in Greenacre's house by the neighbours, but no notice was taken of it; and on the following day Greenacre was observed to go out, and the house remained locked up, and with the shutters closed all day. On that day it was proved that he went to dine with Mrs. Gale, at lodgings which she occupied temporarily, at Portland-street, Walworth. On boxing-day (Monday), Mrs. Gale was again in Carpenter's-buildings, and she seemed to be engaged in washing the house, as she procured some water from some of her neighbours, and she was noticed to be employed with a bucket and mop, as if she were hard at work. On Wednesday, Greenacre was observed to leave his home, carrying with him a blue merino bag, and it was ascertained that about a week afterwards he quitted the house in Carpenter's-buildings altogether, his boxes and furniture being removed by a man named Chisholm. About a fortnight afterwards the house was stated "to be to let," and several of the neighbours went to look at it. The floors of one or two of the rooms appeared to have been carefully scrubbed and cleaned; and besides this, there was observed to be a strong smell of brimstone, as if it had been employed in fumigating the house, and the fire-places were boarded up, so as to prevent the escape of the vapour by the chimney. Independently of these circumstances, various expressions were attributed to Greenacre and Mrs. Gale, from which it was inferred that the latter was aware of the murder; and it was also shown that the bag or sack in which the body was enclosed, had been stolen by Greenacre about a week before Christmas, from the shop of a Mr. Ward, a mangle-maker, in Cheyne-walk, Tottenham-court-road; whose shopman, Higgins, was enabled to identify it by a particular species of shaving, which was still adhering to its interior, and also by the cord, with which it was made to close.

Upon the statement of all these circumstances, the prisoners were called upon for any defence which they might have to make, and Greenacre thus addressed the magistrate. He spoke in a clear voice, and without betraying any emotion.

"I have to state, that in the evidence given there are many direct falsehoods. I distinctly told Mrs. Davis that we had had no words at all of consequence—that is, no quarrel. What I mentioned to her was, that I had found out Mrs. Brown had no money at all, and had tried to set up things in my name at a tally-shop. I merely argued the point with her, but there had been no dispute worth speaking of. There may have been

Digitized by Google

duplicity on both sides. I represented myself to her to be a man of property, as many other people do; and I found out that she was not a suitable companion for me, which may fairly be concluded from her conduct towards her brothers and sisters. I 'll adhere strictly to the truth in what I am saying, although there are many circumstances in the evidence combining together against me, and which may perhaps cost me my life. One of the witnesses has said, that I helped to move the boxes on the Saturday; that is true, but I will precede that remark by stating, that I had this female (the other prisoner) in a room at the time, where she was lodging, and did my cooking for me. I gave her notice to leave previous to Mrs. Brown coming home, and she had left accordingly. On the Saturday night before Christmas-day, Mrs. Brown came down to my house, rather fresh from drinking, having in the course of the morning treated the coachman, and insisted upon having some more rum, a quantity of which she had had with her tea. I then thought it a favourable opportunity to press upon her for the state of her circumstances. She was very reluctant to give me any answer, and I told her she had often dropped insinuations in my hearing about her having property enough to enable her to go into business, and that she had said she could command at any time three hundred or four hundred pounds. I told her I had made some inquiry about her character, and had ascertained she had been to Smith's tally-shop, in Long-acre, and tried to procure silk gowns in my name. She put on a feigned laugh, and retaliated by saying she thought I had been deceiving her with respect to my property, by misrepresenting it. During this conversation she was reeling backwards and forwards in her chair, which was on the swing, and as I am determined to adhere strictly to the truth, I must say that I put my foot to the chair, and she fell back with great violence against a chump of wood that I had been using; this alarmed me very much, and I went round the table and took her by the hand, and kept shaking her, but she appeared to be entirely gone. It is impossible to give a description of my feelings at the time; and, in the state of excitement I was in, I unfortunately determined on putting her away. I deliberated for a little while, and then made up my mind to conceal her death in the manner already gone forth to the world. I thought it might be more safe that way than if I gave an alarm of what had occurred. No one individual up to the present moment had the least knowledge of what I have stated here. This female I perfectly exonerate from having any more knowledge of it than any other person, as she was away from the house."

Mrs. Gale, after denying that she was at Camberwell at the time of the murder, or that she had participated in any way in causing the death of the deceased, said—"Mr. Greenacre told me I was to leave his house a fortnight before Christmas, but I did not then leave, as I could not suit myself with lodgings, and I went away on the following Thursday. On the Monday week after that I returned to the house, and he told me that the correspondence between him and Mrs. Brown was broken off. That 's all I have to state."

During the whole of the time occupied by the police in prosecuting their inquiries, new and increasing interest prevailed upon the subject of the case, and every opportunity was seized upon by the public at which it was thought that a glimpse of the prisoners might be obtained.

Digitized by Google

The 5th of April was fixed upon for the last examination; but owing to the extreme difficulties which had attended every fresh inquiry before the magistrates at the police-office, arising from the crowds which were every day collected, they were induced to determine upon holding their final meeting at the New Prison, Clerkenwell, where Greenacre had been confined. Mrs. Gale had been kept in custody at the House of Correction; and the intention of the magistrates being soon made known to the mob, many of them proceeded from the neighbourhood of Marylebone to Clerkenwell, in the hope of catching a glimpse of her as she passed to the New Prison. During the examination both prisoners were much affected, and trembled violently.

The principal object of this meeting was the re-perusal of the whole of the vast body of evidence which had been obtained in the presence of the prisoners. The statements made by Greenacre and his fellow-prisoner were also read, and signed by them as true. Gale, when called upon to affix her name to her statement, appeared to be labouring under extreme trepidation. She got up from her seat, and walked with a faltering step to the table; she took the pen with a trembling hand, when Greenacre, seeing the agitation she was in, said to her, "Sign, sign; don't frighten yourself at what people say about your going to be hanged, and all that sort of stuff!" Gale at length appended her name, and resumed her seat.

The whole of the evidence having now been read over, the prisoners were fully committed to Newgate for trial.

The following lines were circulated by Greenacre among the reporters present at this examination, with a view to their publication in the newspapers.

"To a humane and enlightened public.

"New Prison, Clerkenwell, April 5.

"Everything that ingenuity and malice could invent to influence the minds of the ignorant, and to fill the minds of the good and religious with awe, has been the result of newspaper comment against me. It is said that the finger of God is manifested in bringing this horrid and wilful murder to light, the day only before my flight to America! I contend that this manifestation of Divine Providence is to serve my case, or the cause of a suffering mind, to prevent me from a life of continual dread of being fetched back from America upon this awful charge, and which would certainly have been the result, if the deceased had not been recognised until I had departed; thus it may be shown that Providence is on my side. Again, if in my crossing the Atlantic, or by any other means, my death had ensued, the fatal conviction of an innocent female would certainly have been the result—suspicion would have been too strong against her to have saved her; it was for God, and God only, to prevent this fatal termination—no human mind could have discerned anything in her favour, if my death had preceded this investigation. God is just; and God be praised for this timely interference to prevent my premature death through either my crossing the seas, or the distracted state of my mind. I hope, therefore, that my unfortunate situation may not be prejudiced by malice and perverted comments."

Monday, the 10th of April 1837, was the day fixed for the trial of these

Digitized by Google

offenders, and on that day they were placed at the bar of the Central Criminal Court, and arraigned upon the indictment found against them. Greenacre was charged, as the principal, with the wilful murder of the deceased, and Gale was indicted for being an accessory after the fact, in comforting, aiding, and assisting her fellow-prisoner.

Chief Justice Tindal, Mr. Justice Coleridge, and Mr. Justice Coltman, were the judges who sat to try these offenders, and the court was crowded in every corner.

The evidence produced now was a repetition of that which had been brought forward at the various examinations at the police-office. Mr. Adolphus, Mr. Clarkson, and Mr. Bodkin, appeared to conduct the case for the prosecution; and Mr. Price and Mr. Payne defended the prisoners. The line of defence was consistent with the statements which had been made by the prisoners at Marylebone police-office. The witnesses who were competent to give any evidence as to the possibility of the truth of these declarations being cross-examined with a view to its being shown, that Greenacre's account of the transaction might be correct; and, further, that in the direction in which he stated Mrs. Brown to have fallen, she might have passed through a doorway, which was behind her, and into the back-room. This suggestion was, however, negatived by the declaration of the witnesses; and the testimony of the surgeons who were examined also tended to prove that the injuries which had been received by the deceased could not have been the result of such a state of facts. Mr. Girdwood underwent a long examination, and exhibited throughout an extensive acquaintance with those branches of his profession which were material to the inquiry. He declared his belief that many of the appearances of wounds or bruises on the head were the result of injuries inflicted during life; and, further, that the bloodless state of the arteries of the head exhibited that the process of disseveration had been commenced before life was extinct.

Mr. Price addressed the jury for the prisoners, urging those topics in his argument to which he had applied himself on his cross-examination.

The Lord Chief Justice began to sum up at a quarter past six o'clock on the second day of the trial. Having recapitulated the terms of the indictment in form, his lordship proceeded to observe, that the conviction of the prisoner Greenacre of murder or manslaughter would not necessarily involve the prisoner Gale in the charge, unless the jury were satisfied that the evidence was sufficient to bear out the allegation of her having been an accomplice in the transactions connected with the death of the deceased. He had no doubt the case would receive the most benevolent and patient attention of the jury. He would read over the evidence, and leave them to say whether they considered the prisoner Greenacre to have been the author of the woman's death, and whether the evidence amounted to proof of murder, or of manslaughter of an aggravated kind. There were certain undoubted principles of law which must be kept in mind. One was, that where a person met his death from the hand of another person, that other person was bound, either by direct evidence or out of the circumstances of the case as they appeared in evidence before the jury, to mitigate or reduce the charge to the lower or minor class of offence. But then some circumstance of alleviation, mitigation, excuse, or justification must be brought before the court and jury, or be derivable by fair infer-

Digitized by Google

ence from the evidence. What they would have to say, therefore, was, whether, looking at the whole of the case, they were satisfied that it was left on the broad ground on which it was started by the counsel for the prosecution—namely, the actual murder of the deceased individual, or whether there were any circumstances in the case to induce them to come to a conclusion of a milder character—namely, that of a felonious manslaughter or accidental homicide. The learned judge then proceeded to refer to the evidence which had been adduced, commenting with great minuteness and perspicuity upon every circumstance from which the guilt or innocence of the prisoners was argued. He observed that the male prisoner had, by his own statement, admitted that he was guilty of manslaughter, unless they came to the conclusion that by an act of carelessness, or of playfulness in tilting up the chair, the woman had met her death. If, on the other hand, they were of opinion that the prisoner had occasioned the death of Hannah Brown, either by premeditated malice or by a malignity of feeling, caused by conduct of an exasperating nature, thereby giving rise to a spirit of revenge, then they must find him guilty of the higher offence. They would observe that the doctors had given it as their opinion, that the knife had been applied to the neck during life; they would therefore have to say whether, being possessed of a malignant spirit, the prisoner had not taken the knife and completed that act which he had wickedly intended to effect. He would exhort them to weigh well the circumstances of the case, which was one of extreme difficulty. Above all things, it behoved them to turn a deaf ear to any manifestations of clamour which might have been exhibited on the part of the public; such impressions ought at all times, but more especially upon an occasion like the present, to be banished from a court of justice. They would enter upon the performance of their solemn and painful duty with feelings of patience and calmness, giving to every portion of the evidence such favourable interpretation as it would allow, and they would give any benefit which might arise therefrom to the prisoners; they would look into all the evidence watchfully and narrowly, and if upon mature reflection they entertained a doubt of the guilt of the prisoner of the charge of murder, they would let him derive the full advantage and benefit of such a doubt. If, on the other hand, the evidence was so clear and satisfactory as that in their minds it brought the commission of the crime home to the prisoner, they would doubtless do their duty. With respect to the other prisoner, Sarah Gale, if they found the male prisoner guilty, either of the crime of murder or manslaughter, they would say whether by her assistance and aid she had protected, comforted, and enabled him to screen himself from the justice of the country. If so, they would find her guilty of the charge for which she was indicted. If, on the other hand, they thought that she had not in any way acted as an accessory, and had had no guilty knowledge of the crime, then they would give her the benefit of such opinion, and return a verdict of acquittal.

The jury having retired from the box for the purpose of considering their verdict, after an absence of a quarter of an hour only, returned into court to deliver their decision upon the case. As they passed to their box, Greenacre surveyed each of them with a keen, searching, and eager glance, as if to read in their expressions the fate which awaited him, and of which the jury were now the arbiters. His countenance, however, remained unchanged; and he still appeared to preserve the same degree of firmness

Digitized by Google

and self-possession which distinguished his demeanour throughout the whole of the trial, and seemed as a man who had already anticipated his fate, and whose mind was made up to the worst that could befall him. The prisoner Gale, on the contrary, seemed lost and bewildered, and almost unconscious of her awful situation; but with that feeling of attachment for her paramour which women will evince even under circumstances of misery, shame, and peril, she fixed her look during this painful interval of suspense and agony upon the countenance of him to whose fate she appeared to cling, even in this trying moment, when life or death was about to unite them once more, or sever their unfortunate connexion for ever.

The clerk of the arraigns having called over the names of the jury, said, "Gentlemen, how say you; do you find the prisoner at the bar, James Greenacre, guilty or not guilty of the felony of murder with which he is charged?"

The foreman of the jury answered, "Guilty."

The question was then asked with regard to the prisoner Gale, and the foreman of the jury again answered "Guilty."

The countenance of Greenacre remained unaltered. He exhibited no emotion, but leaned back in his chair and seemed perfectly indifferent to what might follow. Gale appeared almost unconscious of what was passing around her.

Upon the announcement of the result of the case outside the Court, the huzzaings of the crowd, who were impatiently awaiting its termination, were of the most deafening description; and several well-dressed persons were observed in elevated positions, waving their hats to the mob, as if upon the intelligence of some important victory.

The recent alteration in the law with regard to the period of the execution of murderers, rendered it unnecessary that sentence should be immediately passed on the prisoners; but on the following day, the 12th of April, they were brought up to receive the judgment of the Court.

Upon their being called upon in the usual way, to say any thing they had to urge why sentence should not be pronounced upon them:

Greenacre (in a husky, but firm tone) said—"My Lord, my unhappy condition in this unfortunate affair has given rise to abundance of evidence against me, such as might be collected in any pot-house or gin-shop, owing to the reports spread abroad to my prejudice, upon which the jurymen have acted. It is contrary to reason and common sense to suppose that I should have meditated the death of the woman, much less that I should effect it in the manner described, because of the property she had. If that had been my object, I could have had it all on the next morning, when our marriage was to have taken place, and then it would have been mine. What, then, was my motive for murdering of her? It is—"

The Recorder.—"This is all very proper matter to have been urged by your counsel at the trial, but should not be pressed upon the Court now. The only question now is, as to the matter of law. If there are the slightest grounds for questioning the verdict of the jury, your only course is to apply to the Secretary of State, the Court having no power of itself to interfere. Have you anything more to say?"

Greenacre.—"In the next place, my lord, I beg to say that this woman was utterly ignorant of the affair up to the time of my being taken to the

Digitized by Google

police-office. She had no knowledge whatever of it, and is as innocent as any lady or gentleman in this court. This I say, as I am going into my grave—that she is innocent. I invited her back to the house after the body was removed, and she never knew anything of it. I deem it a religious duty to exculpate her from having any concern in this unfortunate affair. I have no more to say."

The Recorder.—I shall make the same observation to you, Gale, that I have just addressed to the other prisoner. If there be any ground for a further inquiry into your case, you must apply to the Secretary of State, who will exercise his best discretion upon the subject, under the advice of the responsible officers of the crown.

The prisoner Gale was then led to a chair at the back of the dock, and the usual proclamation for silence, preparatory to the passing of the sentence of death, having been made,—

The Recorder, in a solemn and impressive tone, proceeded to address the male prisoner in the following words:—"James Greenacre, after a protracted trial, which endured for two entire days, upon a patient and impartial investigation of all the circumstances connected with your case, a jury of your country have found themselves inevitably compelled to find you guilty of the dreadful offence for which you were indicted. You have been convicted upon evidence, indeed the most satisfactory, of the crime of wilful murder. The appalling details of your dreadful case must be fresh in the recollection of all who now hear my voice, and will long live in the memory and (may I not add?) in the execration of mankind; and generations yet to come will shudder at your guilt. You have, indeed, acquired for yourself a revolting celebrity: an odious notoriety in the annals of cruelty and crime. The means to which you were prompted to resort, in order to conceal the mangled and dismembered portions of your victim, were for a season attended with partial success. You disposed of her remains, as you thought, in places secure from discovery, but that course availed you not; for after a short interval accumulated evidence and irrefragable proofs of your guilty contrivance became apparent. The amputated limbs and the dissevered body were united to the bloodless head of the murdered woman, and every injury by you inflicted after death has afforded the means of proving by comparison, beyond doubt, that the wound on the eye was inflicted by you while your victim was in life, and strength, and health. Horrible and revolting to humanity as was the spectacle presented by the mutilated trunk and mangled remains, fresh details and discoveries suggested both the means and manner by which you accomplished the destruction of the deceased. Both surgical skill and medical science came to the assistance of common observation; and it was clearly and beyond all doubt demonstrated that the wounds on the eye and skull were sufficient to produce death; and it was still further proved, that while the blood was yet in a fluid state, and circulating through the veins and arteries, you accomplished your horrible object, by severing the head from the body. Stupor of the senses and suspended animation were the effect of your blows; and then you embrued your hands in the gushing life's-blood of the wretched and unhappy being who was stretched senseless and unconscious at your feet. The still warm corpse was then barbarously mutilated and mangled by you, in the hope that the eye of man would not detect your guilt; but the eye of God was upon you. The

Digitized by Google

natural disgust and horror which your conduct in this respect excites, compels me to throw a veil over the frightful and appalling particulars of that hideous scene. But even that scene, revolting as it is, may be useful in a moral point of view, for it shows how the hand of Providence points out the guilty, and proves both the means of detection and the certainty of punishment. The certain but unseen agency of Providence is exhibited in the development of the peculiar and complicated circumstances of your case. The curiosity excited, the alarm produced, and the peculiarity of each succeeding discovery of the mangled members of the body, and the seemingly impenetrable mystery in which the circumstances of such a murder were shrouded, all conspired to awaken suspicion, renew inquiry, and incite to fresh exertion, until at last the mystery was developed by the family of the deceased. The embalmed head was identified, the name of the murdered woman came to light, and sufficient evidence was produced to point out you as the author of her death, and bring you before the tribunal of public justice. The circumstances attending the discovery of this murder lead to the inevitable conclusion that neither cunning nor ferocity can shelter and secure a murderer; for although the crime may be hidden for a time—although delays may occur, and the mystery of the transaction almost preclude the hope of its discovery, yet the all-seeing eye of God is cognizant of the deed, and man becomes the agent of its discovery. Indeed, instances of escape from such a crime are so rare, that the detection is almost as sure as the punishment is certain. It is plain from the attention with which I perceive you are listening to what I now say, that I am addressing an individual not devoid of education, of reasoning faculties, and strength of mind. The occasion you must indeed be aware is, as regards yourself, standing where you do, and under the circumstances in which you are placed, awful and solemn to the last degree, both as regards your fate in this world and the world to come. I will not draw arguments from my own feeble resources alone, to endeavour to induce and implore you to repent before it is too late. Let me, then, before I proceed to pass upon you the dreadful sentence, entreat you to consider well your past life, and the chances which await you in the life which is to come. In making this last appeal, in attempting to revive within your breast the last remaining sparks of virtue and religion, let me refer you to an extract which I am about to read to you from an excellent work, called 'The Analogy of Religion, Natural and Revealed.' I have selected the passage because I think it may be applicable to your present state of mind, and because the sentiments it conveys are far better than I could ever hope to address to you from my own resources. The passage is as follows:—'Indeed,' says the learned author, 'when one has been recollecting the proper proofs of a future state of rewards and punishment, nothing, methinks, can give one so sensible an apprehension of the latter or representation of it to the mind, as observing the many disregard-checks, admonitions, and warnings which people meet with in the ways of vice and folly, and extravagance—warnings from their very nature, from the example of others, from the lesser inconveniences which they bring upon themselves—from the instruction of wise and virtuous men; after these had been so long despised, scorned, ridiculed—after the chief bad consequences, temporal consequences of their follies, have been delayed for a great while, at length they break in irresistibly like an armed force—repentance is too late to relieve, and can

Digitized by Google

serve only to aggravate their distress: the case is become desperate, and poverty and sickness, remorse and anguish, infamy and death—the effects of their own doings—overwhelm them beyond the possibility of remedy or escape.' The limits of time and the span of this present life furnish no obstacles in the way of a repentant sinner. Turn, therefore, I implore you, with an humble and penitent heart, to the source of all hope and mercy—the blessed Redeemer of mankind, and employ the brief interval which is yet left you on this side of eternity in penitence and prayer, as the only means of obtaining that mercy hereafter which the laws of God and man deny to you in this world. It now only remains for me to pass upon you the dreadful sentence of the law; and that sentence is, that you be taken from hence to the prison from which you came, and from thence to a place of execution, where you shall be hanged by the neck until you are dead, and that your body be then buried within the precincts of the jail; and may the Lord God Almighty take compassion on your sinful soul."

The learned Recorder towards the end of this address was sensibly affected; and he could scarcely give utterance to the concluding words.

The prisoner Greenacre remained apparently unmoved, but he listened with attention, and never once changed his position or relaxed a muscle. He was then led back, and

Gale was brought forward to receive her sentence.

The Recorder said—"Sarah Gale, I will not aggravate the sufferings which you must now endure with any observations tending to increase those sufferings. The unhappy man who a short time ago stood beside you at that bar has declared that you had no guilty knowledge of the transaction in which he was involved. I cannot but observe, however, with regard to that remark, that you had united yourself to him, sharing his society and bed, and comforting, assisting, and sheltering him, without being joined to him by any moral or religious tie. As he has stated that you were ignorant of the dreadful transaction, I think it right to remind you that the ear-rings found in your pocket had belonged to the unfortunate woman who had been slaughtered by his hands; that duplicates of property which belonged to her were also found in your possession; and that in an adjoining room a box was found, proved to have been hers, besides other property. I cannot, therefore, as at present advised, entertain any doubt but that the verdict of the jury in your case was well and justly grounded. How far your attachment to the prisoner induced you to continue your intercourse with him, notwithstanding his possession of the property of the deceased under circumstances which I should think must at least have excited suspicion on your mind, it is not for me to judge. Perhaps you considered that what had been done could not be undone; but whatever feeling actuated your conduct in connexion with the circumstances of the case, I feel that I am bound to pass upon you the full sentence directed by the act of parliament; and if upon further investigation of your case, should you be disposed to apply to the Secretary of State for a revision of your sentence, any favourable circumstances should arise, that matter will be considered and disposed of by the competent authorities. At present I have only to pronounce upon you the sentence of the law; and that sentence is, and this Court do adjudge, that you be transported beyond the sea to such place as His Majesty, with the advice of his privy council, shall direct and appoint, for the term of your natural life."

Digitized by Google

The prisoners were then led away from the bar; but Greenacre, instead of being conducted to the condemned cell, as is customary, was re-taken to the apartment which he had previously occupied. The reason for this alteration in his case, was the necessity which existed for a strict watch being maintained over him, to prevent a repetition of the attempt which he had made upon his own life, which there was good reason to apprehend; and it was felt that the inclemency of the weather would render such a duty in the lower cells of the prison, a punishment upon the attendant turnkeys of no ordinary severity. The demeanour of Greenacre, after his conviction, partook of the same firmness and determination which he had hitherto maintained; and upon the day after his condemnation he requested to be supplied with pens, ink, and paper. His desire was instantly complied with; and from this time he appeared to be occupied in the fabrication of a new statement, bearing the impress of truth, in reference to the foul crime for which he had been tried. He industriously applied himself for several days to this task; but none of the productions of his pen appeared to afford him satisfaction, and each was committed to the flames almost immediately upon its completion. In the course of the day after he received sentence of death, he was visited by the sheriffs, and to them he made a new confession of the circumstances of his crime. The general facts which he now detailed corresponded with the story he had told at the police-office; but in one most important particular he admitted the falsehood of that statement. This was with reference to the immediate cause of the death of Mrs. Brown; and he now stated that the unfortunate woman, having accompanied him home, as proved in evidence, they had taken tea together. Mrs. Brown afterwards proceeded to wash up the tea-things, and while she was so occupied, they continued a conversation which had before commenced, upon the subject of her property. He became enraged at the deception which she had practised on him, and seizing a rolling-pin which lay on the dresser, he menaced her with it, and at length struck her on the eye. She fell to the ground, and on his going to her, he was shocked to find that she was insensible, and apparently dead. He paced the room for some time, in terror at the act which he had committed, as he conjectured that he should be charged as her murderer, and began to reflect upon the best means of screening himself from the consequences of his guilt. A variety of methods presented themselves to his mind; but at length he hit upon the horrible expedient of dividing the limbs from the body, and disposing of the dissevered members separately. He, in consequence, immediately set about cutting off the head, and having done so, he suffered the whole of the blood to drain from it. This done, he determined instantly to get rid of this portion of the frame of his victim, and wrapping it in a silk pocket-handkerchief, he quitted the house with the horrible burden. On reaching Camberwell he got into an omnibus, which conveyed him to Gracechurch-street, and without alarm for the discovery of the contents of his bundle, he carried it on his knee during the whole journey. When he left the vehicle he scarcely knew which way to turn, but a Mile-End omnibus overtaking him as he reached Cornhill, he jumped into it, and was conveyed to the East end of the town, still carrying his dreadful load on his lap, in the same manner in which he had supported it before. On his leaving this second conveyance, he walked on until he reached the Regent's Canal, and he pursued the course of it.

Digitized by Google

until he came to the Lock at Stepney. An idea suddenly suggested itself to his mind, that this was the fitting place to get rid of the head, and without more ado he "shot it from the handkerchief into the water." He then directly turned back, and on his way home he called at Mrs. Davis's, in Bartholomew-close, with whom he entered into conversation, as described in the evidence. He slept in Carpenter's-buildings alone on that night, but on the morning he went to Mrs. Gale's lodgings, where he staid until the next day. At an early hour on the morning of the 26th of December, he proceeded to his own house, to dispose of the remaining parts of the body. He began by separating the legs from the trunk, and having done so, he packed them up in a sack and took them to Cold Harbour-lane (it being quite daylight at the time), and threw them into the osier bed. He then once more resumed his dreadful task at his house, in Carpenter's-buildings, the trunk of the body being now all that he had to get rid of. The sack and the remnants of a gown which were discovered with the body, were the only coverings in which he could wrap these remains, and having securely corded them up, he took the bundle on his back and went out, undetermined as to the course which he should pursue to dispose of this remaining evidence of his guilt. A carrier's cart passed him soon after he reached the public road, and his load being heavy, he requested permission to place it on the tail-board. This was acceded to, and he walked behind the cart as far as the Elephant and Castle, at Newington. The carrier there stopped to procure his dinner, and left him in the street to take care of the cart; but alarmed lest, during the prolonged absence of the driver, some accident might occur which should procure his detection, he called a hackney cab, and having thrown his bundle under the seat, directed that he should be driven to the Edgeware-road. On his arrival at the Pine Apple Gate, he quitted the vehicle, and paid the driver, and the man having turned back, he walked on towards Kilburn. A favourable opportunity soon presented itself for disposing of the load, and he deposited it behind the stone in the position in which it was found two days afterwards. This, also, he declared took place in the day-time, and he conceived that he underwent less risk in pursuing his operations thus openly, than in endeavouring to conceal them under the shades of night. On his return home, he burned the handkerchief in which he had carried the head, and he also wiped up the blood from the floor with flannels, which he disposed of by throwing them down the privy. This confession was not reduced to writing; but the evident object of the prisoner was to screen Mrs. Gale from the punishment which awaited her, and to raise a belief of her innocence. This, however, failed, for the evidence which was adduced with reference to her implication in the murder, was too clear to admit of any doubt being entertained; and indeed the general impression was, that the murder was the result of a pre-conceived determination, both of Greenacre and his paramour, in order to the accomplishment of which by the former, the latter only temporarily quitted his house. During the subsequent imprisonment of Greenacre, he appeared to be little anxious for the spiritual consolation of the reverend gentleman, who was the ordinary of the jail. He occasionally employed himself in the perusal of religious works, but was generally engaged in writing, although the result of his labours in this respect were, as we have already stated, usually burned. In the conversa-

Digitized by Google

tions which he had with the official persons, by whom he was visited, he complained loudly of the prejudices which had been excited against him by the circulation of a great many false accounts of circumstances which had occurred in his early life. He particularly referred to an allegation which had been made, of his having murdered one of his children, of which Mrs. Gale was the mother; and he asserted, and Mrs. Gale corroborated the truth of his declaration, upon her being separately questioned, that the child had died a natural death; although he admitted that he had disposed of it, by placing it at the door of a Mr. Dale, in Rupert-street, Haymarket, by whom it was sent to St. James's Workhouse, where it lived for nine months.

On Wednesday, the 26th of April, the case of Greenacre was reported to his majesty by the Recorder, and the following Tuesday, the 2d of May, was fixed for the execution. The intelligence was on the same evening conveyed to the prisoner, but he seemed to have made up his mind to the impossibility of there being any mitigation in his punishment, and was unmoved. He declared that he cared nothing for death, although he was sacrificed to the prejudices of the world; but he shuddered at the thought of quitting life with the brand upon him of a wilful murderer. He maintained that he had committed no murder, and that he was to blame for nothing except the mutilation of the body of the deceased. At his meeting now with the ordinary, he declined his spiritual assistance, and said that he could find no relief in anything but inward prayer.

On the following Sunday the condemned sermon was preached in the chapel of the jail by Dr. Cotton, and the most intense anxiety was exhibited on the part of the public, to procure admission to this ceremony. Greenacre throughout the service conducted himself with much propriety, and repeated the responses with accuracy and precision. During the sermon, however, in which he was spoken of as a murderer, he appeared to be much incensed; and on his being subsequently visited by the worthy ordinary, he complained of the application of that term to him, and not without warmth, he declared, that he thought the observations which had been made might have been spared. Subsequently, however, he resumed his wonted composure, and he appeared to receive the attentions of the clergyman with more satisfaction. On Monday night he was requested to join the ordinary in partaking of the sacrament, but he declined to do so; and in the course of a conversation which passed upon the subject, he asserted, that although he believed that the Saviour was a very good man, he placed no credit in the assertion that he was the Son of God. To further questions which were put to him, he said that he believed in the existence of a Deity, and in a future state of rewards and punishments, but that he had no doubt that he should be happy, for that the sufferings through which he had passed in life were a sufficient atonement for any faults of which he had been guilty. On Monday night he slept soundly for several hours; but about four in the morning he arose and dressed himself, and indited several letters. He had completed these by seven, and at that hour he partook of some refreshment, and now, for the first time since he had entered Newgate, he was observed to shed tears. As the hour of eight approached his agitation increased, but he remained absorbed in silent meditation. Upon the appearance of the usual officers he submitted with calmness to the operation of pinioning; and this being completed, he re-

Digitized by Google

quested as a favour, that he might not be long exposed to the gaze of the multitude without. The last words which he uttered conveyed a request that his spectacles might be given to Sarah Gale; and then, unheeding the remarks of Mr. Cotton, he joined the procession to the scaffold.

The exterior of the jail meanwhile presented a wondrous scene of confusion. The mob had begun to collect as early as ten o'clock on the night before, and at day-break on Tuesday morning, every spot was occupied from which a glimpse of the scaffold could be obtained. At four o'clock the erection of the scaffold was commenced; and the appearance of this instrument of death, as it was wheeled from the prison-yard, was hailed with three cheers of deafening applause. The same terrible welcome was given, at a subsequent period, to the transverse beam when it was raised above the platform; and again to the executioner, when he came forward to fasten the deadly halter on the chain which is suspended from it. The pressure of the crowd as the hour of execution approached became terrific; and many persons were carried from it, exhausted by their exertions. At a quarter before eight the bell of St. Sepulchre's Church began to toll, and from that moment the screams and groans occasioned by the pressure from the two extremities of the crowd towards the centre were perfectly appalling. When the executioner again presented himself on the scaffold, however, to see that all the preparations were complete, every feeling seemed to give way to that of curiosity; but it became evident that there was a sensation in that immense assemblage, which would express itself in clamorous exultation as soon as ever the wretched criminal appeared, to atone for the blood which he had so unrelentingly shed. No sooner did those officers who usually precede the criminal to the place of execution, become visible, than it burst forth with a loud, deep, and sullen shout of execration against Greenacre, even before that miserable wretch came under the terrible ordeal of their indignant glance. As soon as he mounted the scaffold, the populace again exhibited their detestation of the bloody atrocity of which he had been convicted, by setting up a wild hurrah of approval of the retaliation which he was about to endure under the hands of the ministers of justice. He placed himself at once in the hands of the executioner, who was thus enabled to complete the final preparations for his death with unprecedented rapidity. The ordinary then read the commencing verse of the burial-service, and before it was concluded the bolt was withdrawn, Greenacre fell, and the vengeance of the law was accomplished. In two minutes from his first appearance on the platform he ceased to be a living man. One grasp of his hands was observed on the rope reaching its full tension,—nothing more, and then all but the relentless shout of the multitude, was still. In a few minutes afterwards the mob began to disperse; but a large concourse of persons remained until nine o'clock, when the body was cut down amidst a yell of triumph, which will live long in the memory of those who heard it. On the same night the body of the criminal was buried within the precincts of the jail, near to those of Thistlewood and others, who had been executed for high-treason.

Gale, it may be observed, during the latter part of her imprisonment, previously to the time of the execution of her late paramour, fell into a state of great despondency. She had been informed that an interview with Greenacre could not be permitted; and this, combined with the certainty of his death, and her apprehensions as to her own fate, reduced her to a state of

Digitized by Google

the greatest mental weakness. The wretched woman, after some delay produced by the applications of her friends in her behalf, was, on the 26th of June, removed from Newgate to the Hulks, from whence eventually, accompanied by her child, she was transported.

Having now related the particulars of this atrocious case, we shall proceed to lay before our readers the sketch which Greenacre himself published of his life, during the period of his incarceration. It was in the following terms, and, as will be seen, was written before his trial.

"Having furnished my counsel and legal advisers with every true and particular statement of my case, I conceive it to be my necessary duty towards myself, my family, and a reflecting public, to pen a brief outline of my history, in the hope of counteracting the vindictive feeling and public prejudice which have been excited against me, through falsehood and exaggerated statements that have appeared in the public newspapers, and which it is my duty to refute, by immediately committing this narrative to paper, to prove to the world that I am not that bloody-minded character which is reported of me, to the prejudice of my character in the minds of those persons in whose hands my life is placed.

"I am not immaculate; neither am I without many sins of commission and omission; but that truth may appear, and that justice may be done to my name when I am no more, should the prejudice of my jury prevail over the extenuating facts of my case, I proceed to state the circumstances of my life.

"I was born in 1785, in Norfolk (at a village called Westwinch, two miles and a half from Lynn, we believe), of honest and industrious parents, who were farmers. I only, of a large family, relinquished the business of a farmer, and was put into business in the grocery line, in the parish of St. George, in the Borough, by my own parents, at the age of nineteen. From the moment I became a landlord, no tenant of mine ever questioned the kindness of my disposition; I have been many years in the possession of three cottages, which I built in Jane-place, Old Kent-road, and have had many tenants, but never distrained upon any of them for rent, but have always taken pleasure in assisting them in any difficulty, and have often, very often, given up to them their back rents or arrears that unavoidably happen to poor persons in cases of sickness, and the want of employment. I had also eight cottages in Bowyer-lane, Camberwell, but I never once distrained upon a tenant in my life, but have absolutely felt all the sympathy of a near relative, when my claim for rent has been met by an apology through sickness, in times of accouchment, and other causes of distress. I can with perfect safeness say, that of these eleven cottages, and those two in Carpenter's-place, I never distrained upon a poor tenant in my life.

"Now, as regards my domestic history, I will just refer to a few demonstrations of my disposition and general character, as a husband, a father, and a respected friend. I have been a man of affliction, in losing three amiable companions, with whom I always lived in the most perfect harmony. It may be added, that I was no fortune-hunter in these cases; but I always sought after the prospects of my issue, by forming an alliance where my children might reap the advantages of their mother's dower on the death of their parents; and I have much consolation in finding that my

Digitized by Google

children, by each of my wives' parents, are amply provided for by legacies. Before I pass over this trait in my character as a husband and a father, the scandalous reports of my enemies make it necessary to refer to the deaths of my wives. The first was the daughter of Charles Ware, of the Crown and Anchor Tavern, Woolwich, to whom I was married at the age of nineteen; my wife eighteen. I was then in business in the grocery line, by the assistance of my own parents, who were farmers in Norfolk. My wife died suddenly of a putrid sore throat. She was attended by that eminent physician, Dr. Blackburn, who, and whose assistants, admonished me not to go near my wife to receive her breath; but such being the result of my feelings, that I could not resist the force of affection, and there are many persons now living who can bear testimony to the fact, I took the complaint, and it nearly cost me my life. I engaged a respectable woman as housekeeper, who, as nurse and housekeeper, has since been in my service at intervals for a period equal to thirteen years, and who is now living. My next wife was the daughter of Mr. John Romford, a considerable land-owner in Essex. By this lady I also had two children. This wife died of a brain fever, brought on by exerting herself, I believe, riding on horseback, whilst on a visit at her own relations; and having an infant at the time, her milk was affected by the fever, which caused her death. Mr. Culthred, now residing in the Borough, attended her. My old housekeeper, who nursed my wife at each accouchment, now became my housekeeper again. I continued a widower fifteen months, and married Miss Simmonds, of Long-lane, Bermondsey, with whom I also lived in harmony and affection up to the time I went to America (May 1833). This amiable companion, with whom I had arranged to come after I had provided a home for her, died in London, of the cholera, about three weeks after my departure. By this wife I had seven children, two only of whom are living. My old housekeeper always attended as nurse to all my wives, and upon all occasions of sickness, making a period of near thirteen years. As a sober and affectionate husband, no person living can deny but this has uniformly been my character. I have always abhorred a public-house, and the babble of drunken men. The society of my books, and wife, and children, have always been to me the greatest source of delight that my mind could possibly enjoy.

"As a master and a friend, I trust the following statement will show that kindness and liberality, and a desire to cultivate the friendship of my neighbours and the tranquillity of my home, have always been the object of my study, and a pleasure most dear to my heart. My apprentices and servants have always manifested much pleasure in their situations, and have always continued with me several years. My apprentices have always been the sons of respectable persons, and have generally been the means of recommending each other, through their connexions with each other's families. I always received a good premium with each apprentice, one only excepted, who was a cast-off apprentice from the Foundling, but who became a good servant under a kind master and mistress, and staid with us many years after her apprenticeship was expired. I have had seven male apprentices since I commenced business, in 1814. Two were brothers, the sons of Mr. Falls, who was then measurer in his majesty's dockyard, Deptford; and my last apprentice, in 1833, was the son of Mr. Green, of the Royal Oak, Sevenoaks, in Kent, whose eldest son had served

Digitized by Google

his time, five years, with me, and with whom I received a large premium. I have always encouraged my servants and apprentices by very many indulgences and kind treatment, and have always found them obliging and assiduous in business. I had one who robbed me. This was the son of a highly respectable tradesman in London. I gave the boy in charge of the beadle, and, contrary to my wishes, he was remanded to Horsemonger-lane jail. I applied to the youth's father, to consult upon his son's escape. This gentleman's tears and distress of mind I most acutely participated in, and had near been brought into trouble by refusing to prosecute. No servant or inmate of my house can say that I was ever intoxicated, or that I ever lifted my hand against my wife, or caused a tear by harsh treatment. Now, as a friend, I think I can give the most incontrovertible testimony; and had it not been for the infamous lying and slandering newspapers, who glory in any crime for the sale of their dangerous weapons, I might have received the visits, advice, and assistance of hundreds of friends, but all are frightened by those horrifying falsehoods. I have received anonymous letters whilst in jail, which I have shown to the governor of the prison, and have handed to my solicitor, wherein the writers express their wishes to aid me, but durst not avow their names. My counsel also have received instructions to aid me by the receipt of anonymous letters enclosing money, with the like expressions of the writers' fear that their names may be known. Thus it is that I am compelled to give this brief outline of my life, in the hopes of defeating the power of falsehood and slander.

"I have continued in business twenty years in the parish of St. George, in the Borough. I have always lived under the same firm, or landlord, and have always experienced an increasing connexion of customers and friends. This manifestation of friendship was evinced by my numerous fellow-parishioners in their electing me to the office of overseer, on Easter Tuesday, 1832, by the largest vestry that ever assembled in the parish church of St. George. A poll was demanded, and my friends increased, and never before or since have there been so many parishioners polled. These numerous parishioners, with whom I had resided so many years, would now most willingly aid me by a subscription or other means, but that they are naturally frightened by the false and slanderous newspaper reports.

"As a debtor, when in business, no person was ever more punctual in his payments; and at the time I went to America, my debts, about 150*l.*, were never before so trifling, and the number of my creditors were so few, I had left with my wife the invoices and the cash to pay them; but her illness and sudden death by the cholera caused the discharge of those bills to be neglected, when my creditors, who knew that I had houses, and who, misconstruing the cause of their not being called upon, proceeded by combining their small accounts to make me a bankrupt. Never before, I believe, was a person made a bankrupt whose debts were so trifling as mine. Had fraud been my object in going to America, I could have easily had ten times the debts and as many more creditors, with whom I had dealt for many years. I have one creditor only who has refused to sign my certificate, and from him I never demanded a stamp receipt, which has saved him a sum nearly equal to the debt I owed him.

"I have mentioned my abhorrence of public-houses; I trust, therefore,

Digitized by Google

that the vice of drinking, the foundation of error and crime, may not be considered the cause of my unhappy accident and subsequent resolve to put away the body, which has produced my disreputable notoriety. It was the horror of my feelings, and fear only that took possession of my mind. I was actuated by no feelings of a felonious or malicious kind. The unfortunate deceased was evidently very much in liquor, when her chair went backwards; and had candidly avowed her poverty when I talked to her on the consequences of our marrying in deception, and of her having been to a tally-shop to obtain a dress upon credit in my name. Felonious intentions cannot be attributed to me, since it is well known, that if she had property it might have been mine in a few hours' time by the legal right of marriage."

With reference to this autobiography, there is no reason to believe that any of the main facts which are stated are incorrect, but it appears that, throughout his life Greenacre had been notorious among his acquaintance for the violence of his political opinions, and the unreserved manner in which he stated them. Rumours were afloat during the period of his imprisonment, that he had been a party to the atrocious plots of the Thistlewood gang, and that he had escaped from the room where his coadjutors were apprehended in Cato-street, at the very moment of the entrance of the officers. This was a story, the truth of which, however, he utterly denied; but he admitted his acquaintance with a person implicated in the conspiracy who was apprehended in his presence, upon an occasion when he went to pay him a visit. We shall not go into the particulars of the whole of the tales which were circulated in reference to his past life. The public mind was so much excited during the continuance of the proceedings against him, that it would be both unfair and ungenerous to prejudice his memory by the repetition of every unproved assertion which was made. The fact which he stated of his being about to start for America on the day of his apprehension with Gale, was found to be perfectly true; for it appeared that a portion of his luggage had been put on board the vessel, which, however, had sailed without its passengers on the 3d of April. The most remarkable part of his conduct after the dreadful murder of which he had been guilty, was that which referred to a new attempt on his part to enter into the bonds of matrimony, by means of an advertisement in the public newspapers. The specious nature of his disposition is well depicted in this transaction. On the 23d of January, one month after the death of Mrs. Brown, an advertisement appeared in the "Times" newspaper in the following terms:—

"Wanted, a partner, who can command 300*l*., to join the advertiser in a patent to bring forward a new-invented machine, of great public benefit, that is certain of realising an ample reward. Applications by letter only (post-paid), for J. G., at Mr. Bishop's, No. 1, Tudor-place, Tottenham Court-road."

Among the answers to that advertisement was one from a female of great respectability, whose name and address we, for obvious reasons, abstain from making public; who, having a little money at her command, indiscreetly wrote to him on the subject, and afterwards had two or three interviews with him, without, however, coming to any arrangement. Greenacre, with that tact for which throughout the proceedings he has rendered

Digitized by Google

himself so remarkable, clearly saw that it would be more advantageous to him if he could form an alliance with the lady in question, and he accordingly determined, without delay, to make her an offer of his hand, which he did in a most specious letter, written on Saturday, the 4th of February, the very day on which the inquest was held on the limbs of his murdered victim, and probably at the very moment while it was sitting. The following is an authentic copy of his letter:—

"February 4, 1837.

"DEAR MADAM,—Having had several letters in answer to my advertisement, yours is the third to which I have applied for an interview, and is the last one I shall answer. I advertised in the 'Times' newspaper of the 23d of January for a partner with 300*l.* to join me in a patent to bring forward a new invented machine, of which I have enclosed you a printed specification from scientific gentlemen of property, each anxious to co-operate with me in it; but upon mature consideration, and by the advice of my friends, I have determined not to throw away the half of this most important discovery for the trifling sum of 300*l.*, as it is certainly worth as many thousands.

"It is, therefore, my wish to meet with a female companion, with a small capital, one with whom a mutual and tender attachment might be formed, who would share with me in those advantageous pecuniary prospects which are now before me, and thereby secure the advantages of my own production.

"No man can have a greater aversion than myself to advertising for a wife; nevertheless, this advertisement was intended to give an opportunity, by which I might make propositions of an honourable nature to one whom I might prefer as a companion for life. It may be, however, that the first impression from our short interviews has left very different feelings towards me than those by which I am influenced to write this letter to you; I hope however otherwise, or at least that you will not yield to any unfavourable conjectures relative to the moderation of my views, as regards the sum of money I named in my advertisement. It is, I think, sufficient to convince you, or any of your advisers and friends, that property forms but a small share of my hopes and object, in turning my attention towards a partner for life.

"I am a widower, thirty-eight years of age, without any incumbrance, and am in the possession of a small income arising from the rent of some houses. I was sixteen years in a large way of business, which I relinquished about three years ago, but have lost much of my property by assisting others and confiding too strongly in the professions of pretended friends. Under these circumstances, I am induced to seek a partner, or a companion with a small sum, to co-operate with me in securing the advantages of this machine, which will be a great public benefit, and which has long been attempted by many scientific persons, and is certain of realizing a competency.

"Having given you this plain statement of my situation, I beg leave to add, that my mind is thoroughly fixed upon making you the future object of my affections and constant regard. If you should feel disposed to favour my sincere and honourable intentions, I shall take the liberty of calling upon you, and hope that you will divest your mind of any idea beyond that of the most sacred candour and honourable intentions on my part. Should

Digitized by Google

you feel disposed to communicate any remarks on the subject by letter, I hope that you will do so.

"Excuse the dissimulation by which I have obtained an introduction to you, and believe that my present proposal is dictated by every honourable and affectionate feeling towards you.—I am, dear Madam, yours most sincerely,

"JAMES GREENACRE.

"No. 6, Carpenter's-place, Camberwell, Surrey."

The "new-invented machine" referred to in the advertisement, appears to have been an apparatus for washing linen, as an article of that description was found in his possession at the time of his being taken into custody. It was fortunate for the individual with whom the correspondence was commenced, that the intimacy proceeded no farther than it did, for inevitable ruin and misery must have followed upon a matrimonial connexion. The letters to which we have alluded as having been written by Greenacre on the morning of his death, were addressed to his relations and to his legal assistants, Mr. Price, and Mr. Hobler. In both these effusions he maintained the same ground which he had taken both before and after his trial, that the death of Mrs. Brown was an *accident;* and that Mrs. Gale was totally unacquainted with the death of his victim until she was in custody.

Sarah Gale, it appears, had received a moderate education, and at an early period of her life is stated to have joined the theatrical corps of an East-end theatre, under the name of Wiston. From this position she sunk to that of an "unfortunate," and in that station she is stated to have been a frequent attendant at the theatres of the metropolis. While thus circumstanced she became acquainted with a member of the legal profession, with whom she lived for a considerable time, and by whom she had one child which died in its infancy. The intimacy with her protector, however, being broken off, she was considerably reduced, and was eventually married to a hackney-coachman. She now applied to the gentleman to whose acquaintance with her we have alluded, and by his assistance she was enabled to commence business in the borough of Southwark in a chandler's shop. Her husband soon dissipated all her profits, and again reduced to poverty by his desertion of her, about two years before the period of the murder, for her participation in which she was convicted, she became acquainted with Greenacre, with whom she lived at intervals up to the time of their apprehension. Her maiden name was Farr; and the child which remained with her throughout her confinement, was understood to be that of her husband.

A short memoir of the life of Mrs. Brown shall conclude our notice of this dreadful case. Mrs. Brown, it appears, was born in the year 1780, within two miles of the city of Norwich, of respectable parents. Her maiden name was Gay. At the age of sixteen years she entered into service in the family of Lord Wodehouse, at Crimley-hall, but after remaining there for four years, she determined to come to London. For a considerable time she supported herself there as a servant, but at length she was married to a person named Thomas Brown, a shoemaker. This union proved an unhappy one, and at the expiration of two years her husband quitted her in order to proceed to Jamaica to claim some property, to which, by the death of a relation, he had become entitled. On his voyage he was washed overboard; and his wife, unacquainted with the precise nature of his claim, was unable to secure the bequest of her husband's relative. From this

Digitized by Google

Digitized by Google

Bardell shooting Mr Dean.

London Published by Thomas Tegg, Cheapside

Digitized by Google

period she appears to have lived constantly in service, and it was supposed by her friends that she had amassed a considerable property by her savings. She was a person of reserved disposition, however, and communicated with few as to her position in life. Her acquaintance with Greenacre appears to have commenced only about three months before her murder, but the precise manner in which that connexion originated does not seem to have been known to her friends.

CHARLES SAMUEL BARTLETT.

EXECUTED FOR MURDER.

AT the Gloucester Assizes on Thursday the 6th of April 1837, Charles Samuel Bartlett was indicted for the wilful murder of Mary Lewis, his mother-in-law, on the 10th of September, in the previous year, at Stapleton, near Bristol.

The case had excited an unusual degree of interest, and the court was much crowded. On his being called upon to plead to the indictment, the prisoner said, "With the word of God upon my heart and lips, I can firmly and truly say 'Not Guilty.'" This assertion, however, was satisfactorily and by indisputable evidence disproved. The circumstances which were detailed by a great number of witnesses were these:—The prisoner was a young man of decent parentage and education, but of a somewhat dissipated disposition; and he had followed a wandering life as a member of a strolling company of players, called Ingleby's Company, frequenting fairs, race-courses, and other such places of entertainment. In the month of August 1836, he visited Monmouth with his troop; and having become acquainted with the daughter of a shoemaker named Lewis, he was married to her. He received 45*l.* as her wedding portion, and a promise of a further amount upon the death of her father; and after a short sojourn with his wife's friends, he proceeded to join his party. On the 5th of September, hearing that her daughter and son-in-law were at Bristol, Mrs. Lewis went to see them, and she visited them there repeatedly, the prisoner being engaged in the usual manner in attending the fair. On the 9th of September, Bartlett was seen in the possession of a horse-pistol; and he sent a boy to purchase powder and percussion caps, and the boy saw him roll up a piece of lead in the form of a bullet. Previously to this he and his mother-in-law had had some difference; but on Saturday, the 10th of September, they quitted his lodgings together, and were seen walking on the Stapleton-road. They entered the Mason's Arms, and partook of some refreshment; and while there Bartlett borrowed a knife from the landlady, saying that he wanted to cut a piece of wood. He went out to the back yard with it where the firewood was kept; and on his return to the house, he was observed to be agitated, and he strove to conceal his features. Having then paid for the liquor which they had had, he and Mrs. Lewis went away, and they were seen to turn down a place called Tebbutt's-lane, leading towards the river Frome. Soon afterwards a shot was heard; and within an hour the murdered body of Mrs. Lewis was discovered stretched on the ground. Her dress was disordered, her bonnet and shawl had been torn from her person, and one of her legs was

Digitized by Google

found doubled under her, as if in the agonies of death. She was instantly conveyed to the Mason's Arms; and upon an examination of her person, she was found to have been shot through the back part of her head, the ball having passed through her bonnet. Bartlett went to the Mason's Arms to see the body; and on being introduced to the room where it lay, he exclaimed, with affected surprise, "Good God! it is my mother-in-law!" Suspicion had already attached to him, and he was now taken into custody; and upon his lodgings being searched, a pistol was found which had been recently discharged, together with a piece of wood newly cut into the form of a ramrod. The evidence extended into the most minute particulars in reference to the transaction; and the chain of proof which was procured, appeared to leave no possible doubt on the guilt of the prisoner.

The defence which was set up was, that Bartlett had left his mother-in-law immediately on his quitting the Mason's Arms, and that the pistol which had been found at his lodgings was one which he had been in the habit of discharging at the fairs, in order to attract attention to his employer's booth.

The trial lasted during the whole of two days, and then a verdict of "Guilty" was returned. Upon the unhappy man being called up for judgment, he threw himself into a theatrical attitude, and delivered a set speech of some length, which was distinguished by great force and vehemence both of style and manner, and produced an extremely strong and painful sensation throughout the court. He stated in substance that he should meet his death with firmness and resignation, protesting his innocence even in his dying moments, and calling upon God to visit with his awful retribution the murderer of his mother-in-law. Sentence of death was then passed, and the prisoner was removed from the bar.

On Saturday, the 15th of April, the sentence of the law was carried into effect upon the wretched criminal. He had been visited by the clergymen of the jail, but they could not succeed in making any impression on him; and although in his demeanour he was serious and respectful, he remained firm and prompt in his denial of the existence of any circumstances from which an inference of his guilt or even guilty knowledge could be drawn.

Throughout the whole of the preparations for his execution he maintained his characteristic steadiness; and he walked from his cell to the platform without any appearance of wavering, except that his face became fearfully pale. He held a bible in his hand, and bowed respectfully to the various officers presiding over this final operation of the law. When arrived on the drop he gazed on the assembled multitude, and looked as if he desired to address them. The executioner motioned for silence; and perfect stillness prevailing, he spoke in a calm and impressive manner as follows:—

"Englishmen and Fellow-countrymen—I have a few words to say to you, and they shall be but very few. Yet let me entreat you, one and all, that the few words that I shall utter may strike deep into your hearts. Bear them in your mind, not only now while you are witnessing this sad scene, but take them to your homes—take them and repeat them to your children and friends. I implore you, as a dying man, one for whom the instrument of death is even now prepared; and these words are, that you may loose yourselves from the love of this dying world, and its vain pleasures. Think less of it, and more of your God. Do this; repent!

Digitized by Google

repent! for be assured that without deep and true repentance, without turning to your heavenly Father, you will never attain or can hold the slightest hope of ever reaching those bowers of bliss and that land of peace to which I trust I am now fast advancing.—I will say a few more words. All good Christians and repentant men that behold my disgrace here, shall —at least I trust they will—behold my glory hereafter; and my last words are—I am an injured man!" The cap was then drawn over his face, and in a few moments the drop fell from under his feet, and he ceased to exist. As an instance of the cool determination of this wretched man, we may mention, that on being locked up on Friday night, he inquired if there was a phrenologist in the town, and on being answered in the affirmative, he expressed a wish that his head might be delivered to him, and that his trunk, for the good of society, might be sent to the Infirmary.

JOHN SMITH, *alias* DAY; JOHN VARNHAM; AND GEORGE TIMMS.

EXECUTED FOR MURDER.

AT the Norwich Assizes, on Thursday the 6th of April, 1837, John Smith, *alias* Day, John Varnham, and George Timms (all of whom were about the age of twenty-six), were indicted for the wilful murder of Hannah Mansfield, at Denver, in the County of Norfolk, on the night of Monday, the 1st of January, in the same year. The unfortunate object of this violence was a woman of about forty years of age, who resided alone in a house at Denver, adjoining a common, across which a path led from the high road to the residence of the deceased, and of a Mrs. Dungay, which was under the same roof. Being possessed of a small property, (of what nature it did not appear), this woman had eked out her subsistence by professing the mysterious trade and occupation of a conjuror and fortune-teller, in which she had gained much reputation among her neighbours and such was her success that she had become (unfortunately for herself), the possessor of a considerable quantity of silver plate, consisting of cream jugs, tankards, table and tea-spoons, sugar-tongs, and four salt-cellars. These articles she was wont to keep in a corner cupboard; and she had been known, on many occasions, boastfully to have displayed what, for persons in her class of life, was esteemed wondrous wealth; in addition to which her more intimate friends had frequently seen her take out her curious old leathern purse, and empty its precious contents in her lap, and count out her treasures. These latter consisted of various coins current in England, at the beginning of this century, which the poor fortune-teller used to take an especial pride in burnishing, and keeping as bright as they had ever been on the day they first issued from the Mint.

Such being the habits and situation of the deceased, Hannah Mansfield, it was shown that the prisoner Smith had, about fifteen months before, had an opportunity of becoming acquainted with them, for he was known to have called late one evening at Mrs. Dungay's house, when he asked, "for advice on some losses;" but being advised of his mistake, he was conducted by Mrs. Dungay to the conjuror. There he held a conversation

Digitized by Google

at the door of the house, while two men, by whom he was accompanied, stood aloof. Satisfied with the result of his visit he went away, and nothing more was seen of him till about eight o'clock of the evening preceding the night on which the murder took place, when it was proved that he was seen, with two other men described in a manner corresponding to the other two prisoners, by a boy, on the high road leading to Denver, at a spot about three miles from that place. Thence they proceeded to a public-house at Hilgay, where they remained till nearly eleven o'clock, drinking and spending the evening in the public room. This was the last time they were seen that day. During the night a noise was heard to proceed from the fortune-teller's door, by Mrs. Dungay, and she got up, and opening her window, listened. Nothing more being heard, no further notice was taken of the circumstance till next morning, when it was discovered, about ten o'clock, that the poor creature had been most foully murdered, and her property carried off. Suspicion rested on the prisoners; they were traced through the snow, and, upon the clearest testimony, the atrocious deed was fixed upon them. They were found guilty, and received sentence of death.

During their subsequent imprisonment they confessed their guilt. They were all men of low station, and procured a livelihood as labourers; but occasionally employed themselves in the less creditable occupation of tramps. Lately before the murder they had been engaged as workmen on the railroad at Berkhampstead. Smith, it appeared, was the leader of the party, and he had persuaded his companions to assist him in the execution of his plot. He had obtained information of the riches of the deceased during a short residence at Downham, in the beginning of the year 1836. He then determined on robbing her, but was unable to put his design into execution until January 1837, when he procured the co-operation of his fellow-convicts. Both of them had expressed unwillingness to join in the enterprise, but Smith led them on, and he and Timms murdered the old woman, while Varnham kept watch. Varnham was respited, and his sentence commuted to transportation; but Smith and Timms were executed on Saturday the 29th of April, 1837.

GEORGE DARWELL.

CONVICTED OF EMBEZZLEMENT.

THE scene of the very extraordinary case of this person was Liverpool, where he had for a considerable time occupied the situation of confidential clerk to Mr. Wolstenholme, a cotton-broker of that city. On Saturday the 14th of October, 1837, he was taken in the custody of Whittle, a police-officer, before Mr. Hall, the chief magistrate of Liverpool, charged with having embezzled a sum of money amounting to 8,264*l.* the property of his employer: and at the same time a fat and somewhat vulgar woman, named Frances M'Lean, *alias* Flood, *alias* Butler, and Richard M'Lean, were charged with having participated in the proceeds of the robbery.

The circumstances of the case were remarkable, and afforded a striking instance of the extent of delinquency which may be produced by the com-

Digitized by Google

mission of one error. Darwell was about fifty years of age, and it appeared that some years before his apprehension he had formed an intimacy with Mrs. M'Lean, the result of which was the birth of an infant. Alarmed for the effects which a general knowledge of this circumstance might produce upon his character, he was induced to hand over to her various sums of money, to secure her silence as to the paternity of her child; and his own means being exhausted, he at length gave her money which was the property of his employer. Having thus taken one false step, every month served to increase his difficulties; and the new demands which were made upon him, accompanied by threats of exposure if they were not complied with, in the course of a considerable length of time, drew from him various amounts, until at length he had appropriated money to the extent of upwards of 8,000*l.*, of his master's property. The abstraction of so large an amount, it may be presumed, could not long remain undiscovered, and at length Whitty having received certain information upon the subject, he took the prisoner into custody. Darwell at once candidly confessed to him his criminality, and explained to him the manner in which he had disposed of the money; informing him at the same time that he would find Mrs. M'Lean residing in Junction-street, Manchester. Whitty, in consequence, proceeded thither, and finding the male prisoner M'Lean, he demanded to know whether he was acquainted with a person named Darwell? He answered in the negative; but the officer having searched the house, found a great number of documents in the handwriting of Darwell, which appeared to be letters in which money had been transmitted to the female prisoner. M'Lean, it was ascertained, had been recently married to the woman, and it was also found that he had engaged largely in the business of brick-making, and had a stock valued at between 2,000*l.* and 3,000*l.* Mrs. M'Lean was not then in the house, and upon his return to Liverpool Whitty found that she had just before arrived there, having started upon another expedition to procure money from Darwell. Upon his finding her, he acquainted her with the fact of the apprehension of Darwell, when she declared her regret for what had occurred, and admitted that she had received about 8,000*l.* from him; but assured the officer, that she had always believed that the money belonged to Darwell himself, whom she took to be a person of property. She expressed her willingness to give up all that she retained, but asserted her innocence of any felonious intention. The officer added, (in his evidence), that he had found books in the possession of the female prisoner, in which the amounts, which she had received from Darwell, were regularly entered and posted up; and he ascertained from them, that since the preceding Christmas, he had paid her no less than 2,273*l.*

These were the main facts of the case, and a legal gentleman, who attended for the two M'Leans, contended that there was nothing in the proofs to implicate them in the felonious charge. The prisoners were all remanded; but after another examination the M'Leans were set at liberty, and Darwell was committed for trial.

Between the period of the inquiry before the magistrates, and the final investigation of the case before the jury, upwards of 5,000*l.* were given up by the M'Leans to Mr. Wolstenholme; and a singular circumstance in the transaction was elicited, in the fact that Mrs. M'Lean, at the very time at which she was so unscrupulously receiving such large sums from

Digitized by Google

Darwell, was in the possession of a handsome annuity, granted to her by a merchant resident in America, in respect of the same child, which had been the cause of the unfortunate Darwell's crime.

At the Liverpool sessions, on Friday the 27th of October, Darwell was put upon his trial. The facts of the case were clear and uncontradicted, and a verdict of "Guilty" was returned. Mr. Wolstenholme recommended the convict to the mercy of the court; and in consideration of the atonement which he had made, by his confession and interference to procure the return of the money, he was sentenced to twelve months' imprisonment only.

GEORGE FLETCHER, WILLIAM ROACH, AND THOMAS TAYLOR.

EXECUTED FOR MURDER.

THESE unhappy men underwent the infliction of the penalty of death for the murder of an aged pensioner of the 49th regiment of foot, named William Bennett, on Wednesday evening, the 28th of October 1837.

It appears that Bennett, the murdered man, had lived at Temen-green, a place about four miles distant from Hertford, for a great number of years, and he had a pension of one shilling and tenpence halfpenny per day, which he was in the habit of going to Hertford to receive quarterly. He went to Hertford for that purpose on the day of the murder, and called upon Mr. Duncan, the superintendant of the Hertford police, who accompanied him to receive his pension, which amounted to nearly ten pounds; and Mr. Duncan observed that at this time he had more money about him. He left Hertford about four o'clock in the afternoon, perfectly sober and collected. Nothing more was seen of him until about half-past four o'clock, when a boy named Bolton met him about a quarter of a mile from his own house, and he also observed four men in the wood by the road side, who were evidently watching the unfortunate man. The boy said to the deceased, "Who are those men?" The deceased replied, that he knew who they were very well, and he did not mind them. The boy went on his way, and the deceased was never more seen alive. A labouring man going to his work about half-past five o'clock on the next morning, saw the body of a man lying by the roadside at Temen, and on going close to it he discovered it was that of the deceased. He immediately gave an alarm, and assistance being procured, the body was taken to the Feathers public-house, Temen-green, where Mr. Davies, a surgeon, was sent for. It was then discovered that the head of the deceased had been literally crushed by repeated blows of a bludgeon and kicks. It was found that the bulk of the deceased's money had been taken, as well as his watch and pocket-book, but in his waistcoat pockets were still a half-sovereign and a small quantity of silver, and some half-pence. The moment the knowledge of these facts came to the magistrates of Hertford, they took the most prompt measures to apprehend the parties who had perpetrated the horrible crime, and Mr. Duncan, the superintendant of police, received directions to institute the minutest inquiries upon the subject with that view. Accordingly Mr. Duncan, accompanied by Knight and Baker,

Digitized by Google

two of his men, proceeded to the neighbourhood of Temen-green, and they there obtained information which led to the apprehension of two men, Fletcher and Sams, the former at Burling-green, near the place where the murder was committed, and the latter at a beer-shop in Hertford.

Subsequent inquiries led to the belief that two young men, named Taylor and Roach, were also engaged in the perpetration of the murder; and, in the course of a few days, the latter was apprehended. For some time after they were taken into custody, the prisoners persisted in denying their knowledge of the deceased or of his murder; but after about a fortnight's imprisonment, they sent for Mr. Carter, a magistrate, to whom each of them in succession made a statement. The story which they all related implicated them in an intention to rob the deceased, but they denied that they had attacked him with the object of committing murder. Sams, however, they stated, was no party to the actual attack, although he had consented to accompany them, for that he became alarmed before they came up with the deceased, lest he should recognise him, and turned back. The others then advanced, and, getting close behind the old man, tripped him up and fell upon him. He struggled violently on the ground, and exclaimed that he knew them, but they robbed him of his money and then beat him violently. After this they went away and divided the booty; and on the next day heard that the old man was dead. Roach now absconded to London, but was taken into custody in the crowd assembled to witness the procession of her majesty into the City on Lord-mayor's day, by a police-constable, who recognised him from the description of his person which had been circulated. They all stated that Taylor, who was now nowhere to be found, had been the most active in the murder and robbery; but that he, as well as they, had had no original intention to commit any violence upon the deceased.

On Friday, the 2nd of March 1838, the three prisoners were put upon their trial before Mr. Justice Vaughan, at the Hertford Assizes, and the jury, after a patient inquiry, found Roach and Fletcher "Guilty," but acquitted Sams.

Sentence of death was immediately passed on the convicts, and on Wednesday, the 14th of March, their execution took place. Both the culprits were mere lads, and the most strenuous exertions had been made to save them, but without effect. They conducted themselves with much propriety while they were in prison, but maintained a firm consistency in their assertion that murder had formed no part of their object when they first attacked the old man. They met death with much fortitude and resignation.

In the following month of September, Taylor was recognised at Plymouth, whither he had gone with the 15th regiment of foot, into which he had enlisted almost immediately after the murder, in the name of Evans. He was sent back to Hertford, and, at the ensuing Spring Assizes was tried, convicted, and executed.

Digitized by Google

RIOTS AT CANTERBURY.

THESE singular but mischievous riots occurred on Thursday, the 31st of May 1838, at a place called Bossenden Wood, situated about five miles from the ancient city of Canterbury, and were the result of the pranks of a madman who had assumed the title of Sir William Percy Honeywood Courtenay, Knight of Malta, and whose insane spirit communicated itself to the rustics, and produced severely calamitous consequences. The infatuation with which this insane impostor was followed, and even worshipped, by the peasantry of the district into which he intruded himself, affords a striking and melancholy proof of the magic powers of fanaticism. But while one is not surprised that among the lower orders he should find persons incapable of resisting his wily and specious arguments, and the impudent falsehood of his assertions, it cannot but be the subject of the greatest astonishment that he should have procured the countenance, during a very considerable period, of individuals of superior rank and education in the county.

The best mode of introducing this extraordinary event will be by detailing succinctly the circumstances of the early life of the supposed Sir William Courtenay. The real name of this pretender was John Nichols Thom, and he was the son of a small farmer and maltster at St. Columb, in Cornwall. While yet a lad, he procured employment in the establishment of Messrs. Plumer and Turner, wine-merchants of Truro, as cellarman; but after five years' service, the firm was broken up, and the business ceased. Thom now commenced trading on his own account, as a wine-merchant, maltster, and hop-dealer, and for three or four years he carried on his trade with great apparent respectability. At the end of that time his premises and stock were consumed by an accidental fire, and he recovered from an Insurance-office, for the losses which he alleged he had sustained by this event, the sum of 3000*l.*, being a much larger amount than those judged him to be entitled to, who were well able to form an opinion as to his probable station in the world. Subsequently he re-built his house and continued his trade; but, after about two years more, he made a considerable sum of money by a successful venture in malt, which he disposed of in Liverpool. For two years after this event he was lost sight of by his friends, and it was presumed that he was out of England, and the first intimation which was received of his return was his declaring himself a candidate to represent the city of Canterbury in Parliament, under the name of Sir William Courtenay, in the month of December 1832. He was found to have taken up his residence at the Rose Hotel, Canterbury; and the splendour of his dress, and the eccentricity of his manners, soon gained for him many admirers, even among the respectable inhabitants of the town. During his canvass he increased the number of his friends, and his success in procuring supporters was most extraordinary. His effort, however, was not fortunate. His opponent candidates were the Hon. R. Watson and Lord Fordwich, the former of whom obtained 832 votes, the latter 802, while Courtenay polled 375. This attempt gained him many friends, and great popularity among the lower orders. His persuasive language was exceedingly useful to him; but the peculiarity of

Digitized by Google

his dress, combined with the absurdity of many of his protestations, induced a belief among some of those to whom he procured introduction that he was insane.

After his defeat he did not confine his proceedings to Canterbury alone, but he passed through most of the towns in Kent, declaiming against the poor laws, the revenue laws, and other portions of the statutes of the realm which are usually considered by the poor to be obnoxious to their interests. By his speeches he obtained much éclat; but his exertions in favour of some smugglers led him into a scrape, from which he was likely to have suffered serious consequences. An action took place in the month of July 1833 between the revenue cruiser Lively and the Admiral Hood smuggler, near the Goodwin Sands, and, in the course of the flight of the latter vessel, and her exertions to escape from the Lively, her crew were observed to throw a great number of tubs overboard, which, on their being picked up, proved to contain spirit. The Admiral Hood was captured, but no contraband goods were found on board; and, on the men being taken into custody, Courtenay presented himself as a witness before the magistrates. He swore positively that he had seen the whole of the action, and that no tubs had been thrown from the Admiral Hood; and he further stated, that he had observed those which had been picked up by the revenue men floating in the sea all day. This was so diametrically opposed to the truth, that a prosecution for perjury was determined on, and he was indicted at the Maidstone Assizes on the 25th of July 1833. A verdict of conviction followed; and Mr. Justice Park, the presiding judge, passed a sentence of imprisonment, to be followed by seven years' transportation. The difficulty in which he was placed, however, having reached the knowledge of his friends in Cornwall, they made representations to the Home-secretary that he was insane; and, after having suffered four years' confinement in a lunatic asylum at Barming Heath, he was at length liberated, on bail being given for his future good-behaviour.

He now took up his abode at the residence of Mr. Francis, a gentleman of fortune, of Fairbrook, near Boughton in the neighbourhood of Canterbury, and he speedily resumed his wild efforts to gain popularity for himself. His dress now was similar to that which he had worn before his incarceration; and the following sketch of his personal appearance, extracted from the romance of Rookwood, by Mr. Ainsworth, well describes him. "A magnificent coal-black beard decorated the chin of this worthy; but this was not all—his costume was in perfect keeping with his beard, and consisted of a very theatrical-looking tunic, upon the breast of which was embroidered in golden wire the Maltese cross; while on his shoulders were thrown the ample folds of a cloak of Tyrian hue. To his side was girt a long and doughty sword, which he termed, in his knightly phrase, Excalibur; and upon his profuse hair rested a hat as broad in the brim as a Spanish sombrero. Exaggerated as this description may appear, we can assure our readers that it is not overdrawn; and that a counterpart of the sketch we have given of the ruffler certainly 'strutted his hour' upon the stage of life, and that the very ancient and discriminating city of Canterbury (to which be all honour) was his theatre of action. His history is so far curious that it exemplifies, more strongly than a thousand discourses could do, how prone we are to be governed by appearances, and how easily we may be made the dupes of a plausible impostor."

His impositions, unfortunately, proved as mischievous as they were plausi-

Digitized by Google

ble. He succeeded in persuading many of the ignorant peasantry that his origin was as high as that of the Saviour. His visits to the cottages of the labouring classes were numerous; and his striking appearance seems to have had considerable influence upon the minds both of men and women. An observation made by one of them, that he was like a picture which was suspended in a room where he stood, representing the Son of God, induced him to assume this holy character; and the infatuation of the lower orders forbade their disbelieving the stories which he related. He is stated even to have asserted that he was the Redeemer himself, and that the marks of wounds were still visible upon his hands and feet, and on his sides, but it can hardly be supposed that he could long have maintained this character, as his hands upon subsequent examination proved to be unscarred. Many of the poor people believed that he was in the habit of receiving barrels of sovereigns every week to meet his current expenses, and that he was the rightful owner of some of the largest estates in Kent, from the possession of which he was only driven by the violence and fraud of their present holders.

A misunderstanding with Mr. Francis compelled his retirement from that gentleman's house, and he took up his abode at the residence of one of his most devoted followers named Wills, from whence subsequently he again removed to the farm-house of a person named Culver, at Boughton. During these changes he was constant in his exertions among the poorer classes; and the influence which he obtained over them was extraordinary. The women excited their husbands and sons to join him, "because he was Christ, and unless they followed him, fire would come from Heaven and burn them." They asserted, as he had declared, that "he had come to earth upon a cloud, and would go away from it on a cloud;" and instances were not unfrequent in which the misguided people, the subjects of his imposture, had actually worshipped him as a God.

At length this excitement was destined to be brought to a conclusion; but not without the occurrence of events which are deeply to be lamented.

On Monday, the 28th of May, Courtenay, with about ten or fifteen followers, sallied forth from the village of Boughton, without having any very distinct or apparent object in view, and proceeded at once to the cottage of Wills. Here they formed themselves into a species of column; and a loaf having been procured, it was broken in halves, and one half of it was placed on the top of a pole, which bore a flag of blue and white, upon which a lion rampant was drawn. Wills having joined them, they all proceeded to Goodnestone, near Faversham; Courtenay, as they went along, haranguing them and the country people whom they met, and producing a great deal of excitement and astonishment at his proceedings. From thence they went to a farm at Herne Hill, where they received food, and then to Dargate Common. By Courtenay's desire they all went to prayers here; and after that they returned to Bossenden Farm, where they retired to rest in a barn. At three o'clock on Tuesday morning, they went to Sittingbourne, and Courtenay provided them with breakfast, for which he paid twenty-seven shillings; and then they went to Newnham, where, at the George Inn, they had a similar treat. After visiting Eastling, Throwley, Seldwich, Lees, and Selling, where, as at Sittingbourne and Newnham, speeches were made, and new followers obtained, the party again returned to Bossenden farm.

During these progresses, it appears that Mr. Curling, a respectable

Digitized by Google

farmer, lost some of his labourers, who were enticed away from their work by the crowd; and disinclined to permit them to join the riotous proceedings of Courtenay and his party, he went before a magistrate of the district, by whom, at his desire, a warrant was issued for their apprehension. Nicholas Mears, a constable, and his brother, were entrusted with the warrant for execution; and on Thursday morning at about six o'clock they went to Culver's farm-house to secure the men. Upon their presenting themselves, Courtenay and several of his followers appeared; and almost before the unfortunate Mears could state his object, Courtenay drew a pistol from his breast and shot him dead. He returned into the house, exclaiming to the men who were there, "Now, am I not your Saviour?" and then going out again, he discharged a second pistol at the body of Mears, and mutilated his body with his sword.

This diabolical murder was communicated to the magistrates directly afterwards, and they proceeded to take steps for the apprehension of Courtenay. But the latter immediately called out his men, and marched them to Bossenden Wood, and there he administered the sacrament to them in bread and water. This over, a man named Alexander Foad, knelt down in the presence of the rest and worshipped him; and while on his knees, he demanded to know whether he should follow him in the body or whether he should go home, and follow him in the spirit? Courtenay answered, "In the body;" upon which Foad jumped up with great exultation, exclaiming "Oh! be joyful, be joyful; the Saviour has accepted me. Now go on; I will follow you till I drop." Another man, named Blanchard, also worshipped him; and Courtenay then, in answer to a question which was put to him, said that he had shot the constable, and had eaten a good breakfast afterwards; and added, "I was only executing the justice of heaven in consequence of the power God has given me." At twelve o'clock Sir William and his followers had shifted their position to the Osier-bed, and here he harangued them, informing them that he was invulnerable, and that they also could not be hurt by reason of the faith they put in him. He defied the attack of the magistrates, which he declared would do neither him nor them any harm; but then he proposed that they should take up a position in ambush in the wood. This was agreed to; and on their way thither, seeing the Rev. Mr. Handley, of Herne Hill, observing their motions, Courtenay fired at him, but happily missed his aim.

In the mean time the magistrates had been taking such steps as they deemed advisable, for the maintenance of the public peace; and in order to secure the person of the leader of these extraordinary proceedings, with his followers. Acquainted with the desperate violence of Courtenay, by his act of the morning, they deemed it unfit that an unarmed force should be brought in opposition to him and his party, and they in consequence despatched a messenger to Canterbury, requiring the aid of the military. A detachment of one hundred men of the 45th Foot, under the command of Major Armstrong, was at once placed at their disposal, and marched to Boughton. The rioters were known to be posted in Bossenden Wood, from the information of out-scouts; and in that direction the troops, accompanied by the magistrates and special constables, were marched. The position of Courtenay was ascertained to be about a mile from the road in Bossenden Wood. The wood was of very considerable extent, but

Digitized by Google

was intersected by two roads; and it was found that the insurgent party were placed so that their front and rear were covered by the roads right and left. The military were in consequence divided; and while one party of fifty took the road nearest Canterbury, under the command of Captain Reed, the other was conducted by Major Armstrong, assisted by Lieutenant Bennett, and Lieutenant Prendergast, along the road next Boulton-under-Blea. Thus the insurgents were placed between the two bodies of troops, and their only chance of escape was to take a straight line through the woods. For this, however, the madman who was their leader, was in nowise disposed, and he soon presented himself to Major Armstrong's troop. He was required to surrender; but without waiting to give any answer, he called upon his followers, (now only between thirty and forty in number), as if to prepare for the approaching conflict, and rushed at Lieutenant Bennett, who was rather in advance of the soldiers. Lieutenant Bennett observing this movement, rushed forward also, sword in hand; but almost before he had reached his assailant, Courtenay presented a pistol, fired, and the ball entered the right side, and passed completely through the body of the young officer, killing him instantaneously. At this moment Courtenay was felled to the ground by a constable named Millwood, but he jumped up again, and at the instant of his regaining his feet, he was shot by the troops. The order to "fire," was then given by Major Armstrong, and being mounted, he dashed in among the peasantry. By the discharge eight men were killed on the spot, and several others were wounded; but the wretched peasantry fought desperately, until at length, perceiving the dreadful consequences which must result from persevering in their resistance, they at once dispersed, and scattered themselves through the woods. In the course of the afternoon twenty-seven prisoners were made by the military and constables, and of these seven were wounded, two of them mortally. Of the party who were employed in maintaining the law, George Catt, a constable, who acted with much determination, was shot under the mistaken impression that he was one of the rioters; and Lieutenant Prendergast received a contused wound on the head from the bludgeon of an insurgent.

During the remainder of the week the coroner of the county was engaged in conducting the necessary inquiries into the cause of death of the deceased persons. Evidence, the general effect of which was that which we have stated, was produced, and the result of the investigation fully bore out the course which had been adopted by the magistracy. Verdicts of "Wilful Murder" were returned in the cases of the constable Mears, and of Lieutenant Bennett, against Courtenay and his adherents; while in the case of Catt, the jury found "That he had been killed upon an erroneous belief that he was a rioter." In the cases of death which had occurred amongst the insurgents, the jury found a verdict of "Justifiable Homicide." The scene which presented itself, during the sitting of the jury, was distressing in the extreme. The Red Lion, at Boughton, was the place at which the coroner conducted the investigation; and there also all those prisoners who were suffering from the wounds which they had received were detained; while in the stable attached to the house, the bodies of the slain were extended. In the yard were the wives, widows, and children, of these deluded men, lamenting bitterly the position of danger into which the fana-

Digitized by Google

Courtesan shooting Stud Parrots

1464

London Published by Thomas Tegg Cheapside

Digitized by Google

Digitized by Google

ticism of their relations had drawn them. During the sitting of the jury, two of the wounded men died, and upon their decease being communicated to the crowd outside, they gave vent to new expressions of grief. The body of Lieutenant Bennett lay in an upper chamber of the inn, and was a melancholy spectacle. The unfortunate gentleman was about twenty-five years of age, and had just obtained leave of absence, when the news of the riots reaching the barracks, he applied for and obtained permission to join the party.

At the conclusion of the proceedings before the coroner and the magistrates, the following prisoners were committed for trial, viz.:—Thomas Mears, *alias* Tyler, (the cousin of the murdered constable); Alexander Foad; William Nutting; William Price; James Goodwin; William Wills; William Spratt; John Spratt; John Silk; Edward Curling; Samuel Edwards; Sarah Culver; Thomas Myers, *alias* Edward Wraight; Charles Hills; Thomas Ovenden; William Couchworth; Thomas Griggs; William Foad; and Richard Foreman.

The names of those rioters who were killed, were, William Courtenay; William Burford; George Griggs; George Blanchard; William Foster; Phineas Harvey; Edward Wraight (the elder); William Rye; George Bouchett; and Stephen Baker.

The prisoners Mears, Alexander Foad, and Couchworth, were wounded. Foad was a respectable farmer, cultivating a farm of about sixty acres; and it was a matter of some surprise that he should have been implicated in so extraordinary a proceeding. The prisoner Sarah Culver was a woman about forty years of age, of respectable connexions, and possessing considerable property. She had been a devoted follower of Courtenay; but it was presumed that she, like him, was insane. The other prisoners were all persons of inferior station.

On Tuesday the 5th of June, the greater number of those who had been killed at the riot were interred in the churchyard of Herne Hill. Amongst these was Courtenay; and the funeral attracted a vast assemblage to the place. Considerable apprehensions were entertained lest the mob should use any violence to prevent the burial of their late fanatical leader, for many had been heard to declare their firm belief that he would "rise again;" but the whole affair passed off quietly, and no new outrage was committed. The bodies of the other deceased persons were buried by their friends.

At the Maidstone assizes, on Thursday the 9th of August, 1838, the trial of the prisoners commenced before Lord Denman.

The first persons who were tried were Mears and Price, and after a long investigation they were found guilty of being parties to the murder of Mears the constable, but recommended to mercy, on the ground of their having been led astray by their infatuation in favour of Courtenay.

Sentence of death was at once passed upon the prisoners, but they were informed that their lives would be spared.

On the next day, William Wills, Thomas Myers, *alias* Edward Wraight, Alex. Foad, Edward Curling, Thomas Griggs, Richard Foreman, Charles Hills, and William Foad, were indicted for the murder of Lieutenant Bennett; but upon their being arraigned they pleaded guilty, upon the same understanding as that which existed in the former case, namely, that their lives should be spared. The prosecutions in the cases of the

Digitized by Google

other prisoners were not proceeded with, and they were discharged from custody.

On Friday the 17th of August, the extent of the commutation of the punishment of the convicts was made known to them. Mears and Wills were ordered to be transported for life; Price was ordered to be transported for ten years; and Wraight, the two Foads, Curling, Griggs, Foreman, and Hills, were directed to undergo one year's imprisonment and hard labour in the House of Correction, during which, each of them was to pass one month in solitary confinement. A pension of 40*l.* per annum was granted to the widow of Mears the constable, in consideration of the death of her husband.

The unfortunate Courtenay appears to have been a man by no means devoid of ability, and who had turned what little education he possessed to the very best account. His speeches were energetic and well put together, and he possessed an ample flow of language. He was abundantly supplied with scriptural quotations, and appeared to be fully and intimately acquainted with the Old and New Testaments.

Shortly before the dreadful affray in which he lost his life, he left off the picturesque attire in which he had hitherto been in the habit of dressing, and assumed one of a more homely character. This was a blouse or frock of brown holland with a black belt, in which he carried a brace of pistols; and a round hat. He was usually also armed with a sword and dagger; but his miserable followers possessed no other weapons than those which the hedges or woods through which they passed afforded them. It is remarkable that none of them were of so low a station as to render it at all probable that want had induced them to listen to the insane promises of their leader. The precise object which was held in view appears to have been unknown even to the misguided men themselves; but the general impression was, that Courtenay, by his power, would take possession of all the private estates of the county, which he would bestow upon his trusty followers. The Sunday after the riot, according to the statements and promises which he made, was to have been "a glorious but a bloody day," and some persons did not scruple to assert that it was his intention on that day to fire Canterbury. The distressing events, therefore, of the 31st of May, it is probable, served to prevent the occurrence of scenes even more terrible. The belief which existed among the lower orders that Courtenay would rise again from the dead was one which could scarcely be driven from their minds, even after they had seen that the process of decomposition had commenced in his remains. He had told one of his disciples, a woman, that if a little water were placed between his lips after his apparent death, he should rise again in a month; and so firm was the belief in his assertion of his and his followers being invulnerable, that the wretched men at the conflict in Bossenden-wood fought for a time with the most reckless carelessness of the consequences.

The visual proof of the existence of a degree of superstition so gross as that which is shown here to have been exhibited is almost necessary to induce its belief; but there can be no doubt that the lamentable ignorance and fanaticism of the peasantry was even more striking than we have described it to be. The general happy contentedness of the inhabitants of the county of Kent—the agricultural, and, therefore, simple nature of their employment—the proximity of their position to the metropolis, and the high

Digitized by Google

state of cultivation to which the soil of that county has been brought, one would have thought would have tended to forbid the possibility of such occurrences among them. These remarkable details, however, only serve to afford an additional proof of the facility with which the human mind is moved, and how open it is to the operations of the allurements of fanaticism.

WILLIAM FRANCIS ADAMS.

TRANSPORTED FOR LARCENY.

THIS wretched convict there is too much reason to believe was guilty of the horrible crime of parricide, as well as that of larceny, of which he was convicted, although the evidence to show his participation in the more serious offence was deemed too inconclusive by the jury to warrant his conviction upon that charge.

At the time of his first trial, on the 16th of March, 1838, Adams had only recently reached his eighteenth year, and the charge which was then preferred against him was that of the wilful murder of his father. Upon this indictment he was acquitted; but within a few days of his liberation from custody he was again committed to gaol, upon a charge of threatening an old shepherd who had given evidence against him. Some new evidence of his guilt was obtained during this imprisonment of the unhappy youth, and on Thursday the 26th of July he was again indicted at the assizes held for the county of Buckingham, at Aylesbury. His acquittal upon the charge of murder rendered it impossible that he should be tried a second time for that offence; and the allegation in the indictment now preferred was, that he had stolen a pocket-book containing notes and cash, the property of his father.

The circumstances which appeared in evidence were these:—Old Adams was a man of some property, both personal and real, and lived at Burcot, near Wing, in Buckinghamshire. On the 28th of December, 1837, both he and his son (the prisoner) were seen by the workmen employed about the farm to go by different directions towards a place called the Fox-hill cow-house, which they entered about the hour of half-past two. From that time the old man was never more seen alive; but his son was shown to have ridden home at four o'clock on a mare on which his father had been seen at the hour first mentioned. In consequence of his non-appearance at nightfall, a strict search was instituted, which eventually resulted in the discovery of the body, cold and extended under some hay in the cowhouse, with rifled pockets, and marks of injury produced by gunshot wounds in his head, which were quite sufficient to have caused instant death. At the time no suspicion was aroused against the prisoner, but on the following day he was taken up, and at the spring assizes tried for the murder of his father. Of this charge, however, after a trial of nearly fourteen hours' duration, he was acquitted, and, being set at large, returned to his home, but shortly after his liberation, in consequence of the further statements of a fellow-prisoner (who had given at the former trial the most material testimony of an ample confession by the prisoner, but who had been discredited, we presume, for want of corroboration by other witnesses), the young man was again arrested, and, after an examination before the

Digitized by Google

magistrates, finally committed to take his trial at the present assizes for the offence of stealing the pocket-book and its contents as above stated. To support this charge, the former witness, James Fuel, was now again called, who deposed to the fact of "Young Adams" having asked him, during the time they were in prison together, before the first trial, if he could get anybody to get him some money if he told him where it was to be found? Upon which, his brother Richard being sent for, Adams wrote two notes, which were given to Richard with directions to "go by them." These notes Richard now stated that he showed to three persons who read their contents to him, and who all now deposed that to the best of their memory (the notes having been burned and destroyed) they were to the following tenor:—"This is to inform you where to get the money. Go to Wing, at Burcot, and inquire for Adams's farm, and then look round and see where the privy is. On the right-hand side, over the door, in a hole betwixt the tilings and the loft, in the day-time, you will find a pocket-book; you will take the money out of the pocket-book, and let the papers remain in, and drop it down against the Cock Inn, Wing." The second note was as follows:—"The man you have got in hold is innocent. Them as done the deed find it out." Having possessed himself of this information, Richard Fuel quitted his residence on Pinner-common, for the purpose of going to Burcot and taking the money, in conjunction with two others. They, however, got alarmed, as they said, when they heard that Mr. Adams had been murdered, and desisted from their intentions; but afterwards, some other men, with more nerve, to whom they had disclosed their secret, started on the same errand, and sleeping together at an inn at Tring, chanced to be overheard by the landlord while they discussed the whole affair. This person immediately set out himself, and, going to the house, asked for the prisoner's brother-in-law, to whom he revealed all he knew of the matter. He, from a very pardonable motive no doubt, and a wish to keep secret so important a fact, for the trial of his relative had not then taken place, invited the landlord to dine, and sending for his lawyer, went in the mean time alone to the privy, where he found, just as he had been told, the pocket-book of his father-in-law. This was now produced, and its contents identified, by a long chain of evidence which we need not particularize, further than by saying that it was most conclusive.—Such is the outline of this extraordinary case, as detailed by the witnesses for the prosecution.

On the other hand, Mr. Andrews addressed the jury, in a speech of great acuteness and power, stigmatising the whole as a base fraud and conspiracy between the Fuels and their friends, who had got up this evidence, improbable and absurd as it was, against the unfortunate youth at the bar, with a view to secure the pardon of James Fuel, who having been convicted of felony since the last assizes, could only become a witness by the pardon of her Majesty. To obtain this wicked end this plot had been concocted, and to show its falsity witnesses would be called who would prove from Fuel's own mouth, that he had over and over again said that he had got a convict, named Mead, to write the notes, in order that he might say Adams had given them to him, and to induce the magistrates to take up the affair again and clear him from the penalty of his own offence.

To substantiate this defence two men were called, named Daly and Palmer, to the former of whom, when a prisoner, and to the latter also,

Digitized by Google

who had seen him in the prison, he had repeatedly admitted that he had spoken falsely, and had got up the charge for the purposes above mentioned: while another man further swore that Fuel's character was such that he could not be believed upon his oath.

Mr. Byles having replied upon the whole case,

Mr. Justice Park elaborately, and with the utmost impartiality, summed up the lengthened chain of evidence in an address which lasted to a late hour. At the close of his lordship's address, which was delivered in a tone and with a manner which showed how deeply the mind of the learned judge had been affected by the painful nature of the inquiry, the jury, after a short time spent in deliberation, returned a verdict of "Guilty."

The prisoner was then immediately sentenced to transportation for a term of seven years.

FRANCIS LIONEL ELIOT, EDWARD DELVES BROUGHTON, JOHN YOUNG, AND HENRY WEBBER.

INDICTED FOR A MURDER COMMITTED IN A DUEL.

On the evening of Wednesday the 22nd of August, 1838, a duel took place on Wimbledon Common, which was unhappily attended with fatal consequences. The principal parties to this melancholy transaction were Mr. Francis Lionel Eliot and Mr. Charles Flower Mirfin; and they were accompanied, the former by Messrs. Young and Webber, the latter by Broughton and another person, whose name, we believe, was never ascertained with certainty, and also by Dr. Scott, a medical gentleman, who attended to render that professional aid which it was deemed possible might be required of him.

The circumstances which led to this duel are stated to be the following:—During Epsom races, 1838, both Mr. Mirfin and Mr. Eliot attended that far-famed sporting meeting. On the Derby-day they were returning to town, Mr. Eliot driving a phaeton, and Mr. Mirfin a gig, when, by some accident, the two vehicles came in contact, and Mr. Mirfin was overturned. In the fall some of his ribs were fractured; and, on getting up, an altercation arose, and offensive language passed, which ended in Mr. Eliot striking Mr. Mirfin a blow on his already injured side, of which injury, however, it is due to say, Mr. Eliot was ignorant. The pain at the moment was excessive, and Mr. Mirfin had only a faint recollection that the name of the party with whom he had come in contact was Eliot; but he had been unable to obtain his address, and therefore had no clue to his discovery, although extremely anxious to call him to an account. Months rolled on, and only on one occasion, till Tuesday night the 21st of August, had he obtained a transient view of Mr. Eliot, in a cigar-shop, but almost instantly lost sight of him. On Tuesday night, in company with two friends, he entered the saloon in Piccadilly, and while he was there he heard the name of Eliot mentioned. The name at once struck him, and, on looking at the party by whom it was acknowledged, he recognised him as the person whom he had so long sought, and from whom he had received a blow. He immediately requested one of his friends, Mr. Broughton, to address Mr. Eliot, and call the matter to his recollection.

Digitized by Google

Mr. Eliot admitted the fact, and offered to make an apology. It would seem, however, that neither party was in a situation to enter upon the subject then, and it was agreed that mutual friends should meet at the Opera Colonnade Hotel at twelve o'clock on the next morning to discuss the matter. Mr. Mirfin then proceeded to his residence, No. 2, Pleasant-place, West-square, Lambeth, where he retired to rest. At the time appointed the friends met, when an objection was made on the part of Mr. Eliot to meet Mr. Mirfin. A firm determination having been expressed, however, that such meeting must take place, on a second application to Mr. Eliot he acceded to the proposition, and a hostile meeting was arranged for the same evening, on Wimbledon-common.

The individuals whom we have named accompanied the principals to the intended scene of action; and a fitting spot having been selected, the parties proceeded to adjust the preliminaries. After some conversation among the parties, in which Mr. Mirfin refused to consent to receive a verbal apology, the ground was measured, twelve paces, and the principals being placed in their positions, each provided with a pistol, at a concerted signal both fired, when the ball of Mr. Eliot's pistol passed through Mr. Mirfin's hat, whilst that of Mr. Mirfin went harmlessly by his antagonist. Mr. Mirfin then impatiently demanded another pistol, having previously declared he would face a dozen shots rather than submit to the insult he had received. The second fire quickly followed, when Mr. Mirfin, placing his hand on his side, exclaimed, "He 's hit me!" and then, staggering a few paces back, fell into the arms of Dr. Scott and his second. The former soon ascertained that the wound was fatal, and in a moment the unfortunate man breathed his last. The ball had taken a transverse direction, and had passed through his heart. The fatal result being ascertained, Mr. Eliot and the two seconds left the ground in the same carriage, and some casual passengers coming up, the body was lifted into a cabriolet, and immediately driven off the ground. It was conveyed to Pleasant-place, and, with the assistance of Dr. Scott, who resided in Rockingham-row, Kent-road, was laid on the carpet in the parlour, when another medical gentleman, a Mr. Smith, was sent for, and the body was stripped, but all hope of recovery had vanished. It would seem that application was subsequently made to Mr. Reed, an undertaker in the London-road, to prepare a coffin, and to convey the body for interment to a distant part of the country. This he declined; and finding the cause of death, he felt it his duty to inform Mr. Young, a constable in the neighbourhood, who communicated the fact to Field, a police-inspector, who placed the corpse in charge of one of his men until a coroner's inquest could be held.

On Saturday, the 25th of August, an inquest was held on the body of the deceased, which was continued by adjournment until the following Tuesday, when the circumstances which we have detailed were proved in evidence; and from the statements of the witnesses, the various parties whose names have been mentioned were shown to have been concerned in the affair. The duel appears to have been conducted, however, upon perfectly fair principles, and there was nothing in the conduct of any of the persons present to induce a supposition that any ungentlemanly advantage was taken on either side. Mr. Scott, the surgeon, entered into a detailed account of the whole transaction, which differed in no material degree from the general statement which we have given. The jury re-

Digitized by Google

turned a verdict of "Wilful Murder" against all the parties concerned as principal or seconds; the verdict as to the latter, however, only referring to them as being accessory to the offence.

At the ensuing session at the Central Criminal Court, indictments were preferred against the various parties concerned; and it being understood that Mr. Broughton would surrender to take his trial on Friday the 21st of September, on that day the court was much crowded.

Upon Mr. Broughton being called, however, he did not appear, and his absence was stated to be accounted for by the indisposition of Mr. Clarkson, who had been retained as counsel on his behalf; but Messrs. Webber and Young presented themselves, and declared themselves ready to take their trial. They were defended respectively by Mr. Adolphus and Mr. C. Phillips, while Mr. Chambers conducted the case for the prosecution.

The whole of the facts were then again proved in evidence; and eloquent appeals having been made on behalf of the prisoners by their counsel, a great number of highly respectable witnesses were called, who gave them excellent characters for the general humanity of their disposition.

Mr. Justice Vaughan, in summing up the case to the jury, remarked upon the circumstances which had attended the duel. He observed, that it should have been the bounden duty of all those who had acted as seconds, or who were present, to have interfered to prevent this fatal meeting; and that, at all events, after the first shot, even supposing the mistaken ideas which might be entertained with regard to wounded honour might be deemed to have rendered the affair so far excusable, they should have positively refused to suffer any further proceedings. The principals in such cases were the mere tools in the hands of their seconds, and upon the latter rested the more serious responsibility. The learned judge having also offered some observations upon the omission of Mr. Scott to attempt to prevent the duel, said, that it sometimes occurred that the feelings of the man were in opposition to those of the judge, and considering that everything in this case appeared to have been conducted with what was deemed fairness, he could not but feel some compunction in stating, as he was bound to do, that persons who had acted under such circumstances as those which had been disclosed were guilty of murder. The question of the prisoners being connected with the case was one for the jury, and one upon which their decision was required. The jury, after some consideration, found the prisoners "Guilty," and at the same time declared their opinion that Mr. Scott himself should have stood at the bar with them. Mr. Justice Vaughan expressed himself to be of the same opinion, and sentence of death was then recorded against the prisoners.

They were instantly conveyed to the interior of Newgate, where they were placed, in obedience to the usual course, in the condemned cells. The application of their friends to the crown, however, soon procured their liberation from this disagreeable confinement; but the sentence of death was only removed upon condition of their undergoing twelve months' imprisonment in the House of Correction at Guildford, one month of which was to be passed in solitude.

On Friday, the 8th of February, 1839, Mr. Broughton surrendered at

Digitized by Google

the Old Bailey to take his trial, and pleaded "Guilty" to the indictment. Sentence of death was recorded against him; but in this case, as in that of Webber and Young, the punishment was reduced to twelve months' imprisonment.

Mr. Eliot, the surviving principal in this affair, was a gentleman of highly respectable connexions—his father being a major-general in the army. Mr. Mirfin, it appears, had formerly carried on business in Tottenham-court-road as a linen-draper, but subsequently retired from business upon a competency. His connexions were of great respectability, his father and brothers being engaged in trade in the north of England of a similar character with that in which he had been concerned. Mr. Broughton, we believe, was a relation of Sir John Delves Broughton, Bart., a general in the army, and descended of an ancient family.

Mr. Eliot succeeded in making his escape to the Continent, and has not yet surrendered to the indictment preferred against him, which, therefore, still remains in operation.

CHARLES KINNAISTER, AND OTHERS.

EXECUTED FOR THE MURDER OF AUSTRALIAN ABORIGINES.

THE atrocious cold-blooded massacre of which these persons were guilty is scarcely equalled by any event of a similar character. The scene of the murder was the colony of New South Wales,—the victims were the unoffending aboriginal natives of the country,—the miscreants by whom the savage scene was enacted were Englishmen, who, however, from their sanguinary disposition, do not deserve that they should receive such an appellation. Fortunately for the vindication of humanity, the unparalleled barbarities of which they were guilty were discovered, and their perpetrators brought to justice.

The names of these monsters in human shape were Charles Kinnaister, William Hawkins, James Perry, Edward Foley, James Cates, John Russell, and John Johnson. It would seem that all of these were convicts, and had been transported from this country. They had been assigned as stockmen or shepherds to some of the settlers in the interior of the colony. In the month of June 1838, these ruffians, influenced or induced by what motive has not been discovered, beyond a determination to extirpate the unhappy natives, set out on horseback in pursuit of their helpless victims. They were traced in their progress inquiring after blacks, and at last arrived at a hut near the big river, beyond Liverpool plains, occupied by the first-named prisoner, Kinnaister. Here they discovered that a little tribe of about thirty natives, men, women, and children, including babes at their mothers' breasts, were congregated in the bush, unsuspicious of danger and unconscious of offence. This was on Sunday the 10th of June. They immediately approached their victims, who, terrified at their manner, ran into Kinnaister's hut for protection, crying for mercy; but they appealed to hearts of stone, who having thus caught them, as it were, in a trap, dismounted, followed them into the hut, and, despite of their entreaties, tied them together with a rope, with the exception of one woman. This was done without a word being uttered, and with a cool and bloody determina-

Digitized by Google

Australian Aborigines slaughtered by Convicts.

London Published by Thomas Tegg Cheapside.

Digitized by Google

Digitized by Google

tion. When all were thus secured, one end of the rope was tied round the body of the foremost of the murderers, who, having mounted his horse, led the way, dragging the terrified group after him, while his infamous companions guarded them on all sides. Groans and tears burst from the wretched beings, whose worst fears were excited. In vain, however, did the aged and youthful of both sexes appeal for compassion. Their doom was cast. Onward they were dragged till a fitting place in the bush was reached, and then the work of slaughter commenced, and, unresisting, were these hapless wretches, one after the other, brutally butchered. Fathers, mothers, and children, fell before the previously sharpened swords of these self-appointed executioners, till all lay a lifeless mass, in death clinging to each other with the throes of natural affection. But one shot was fired, so that it was presumed one only perished by fire-arms. The precise number thus immolated has not been accurately ascertained, but it is computed that not less than thirty lay stretched on the ensanguined earth. The demon butchers then placed the bodies in a heap, kindled an immense fire over them, and thus endeavoured to destroy the evidence of their unheard-of brutality. Fragments of the unconsumed bones, however, still remained; but even these were collected, and attempted to be hidden from human eye. But the vengeance of Providence was not to be thus thwarted; and although for a time these miscreants imagined they had effectually disguised their horrible work, circumstances led to their detection and apprehension. Birds of prey were seen hovering about the spot where the unconsumed remains yet existed, and stock-men in search of their strayed cattle were thus attracted to the locality, supposing they should find their carcasses. In this way it was that the ribs, jaw-bones, half-burnt skulls, and other portions of human skeletons were found—while symptoms of the conflagration in the vicinity were likewise detected. This led to inquiry, and ultimately to discovery of the horrible truth. The place was fifty miles from the nearest police-station, but the whole of the villains were apprehended, and their own admissions and conduct previous and subsequent to the bloody work, added to a chain of circumstantial evidence, left no doubt of their guilt. It chanced, too, that on the night previous to the murders, a heavy rain had fallen—and traces were thus discovered of horses' hoofs, as well as of the naked feet of the wretched natives, on the way to the field of death.

On the 15th of November, the prisoners were put upon their trial before the Chief Justice, Sir James Dowling, charged with the murder of a black, named Daddy, the remains of whose gigantic frame had been observed and distinguished among the discovered ashes. Every possible means had been adopted to secure the acquittal of these atrocious malefactors by an association, which had been formed with the ostensible object of preserving the property of the settlers from the incursions of the blacks. The pretence for the diabolical murders which were committed was the supposed aggressions of the natives in killing and spearing cattle; and every instance of violence of this description was carefully brought forward to secure the liberation of the prisoners, by a verdict of acquittal. The strong prejudice which was excited against the aborigines was not without its effect, and in spite of the evidence which was adduced, the jury found the prisoners "Not Guilty."

There were still other indictments against them, however, which re-

Digitized by Google

mained to be tried, and in the month of December they were again arraigned. Upon this occasion they were not quite so fortunate, and the men above-named were declared to be "Guilty," and sentence of death was instantly passed upon them. Renewed efforts were now made in their favour; but their horrid guilt being proved beyond a doubt, Sir George Gipps, the governor, determined that the law should take its course, and on the 15th of December, 1838, the convicts underwent the execution of their sentence.

ARCHIBALD BOLAM.

TRANSPORTED FOR MANSLAUGHTER.

Few occurrences of the nature of that which is now before us, have attracted more marked attention than that of the dreadful and most mysterious death of Mr. Joseph Millie, assistant-clerk in the Savings' Bank at Newcastle-upon-Tyne. The discovery of this event took place at two o'clock in the morning of Friday the 7th of December, 1839, when flames and smoke were observed to be issuing from the offices of the Savings' Bank. The aid of the engines having been procured, the fire was in a short time extinguished, and the police then entered the house, for the purpose of ascertaining the cause of the conflagration, and that all danger was passed. Upon their going into the clerk's office, they were astonished at perceiving Mr. Millie lying extended on the hearth-rug, with such wounds upon his person as left no doubt that he had been murdered. His skull had been literally smashed in, and his brains were scattered about the room; and what was more singular, his pockets were found to be filled with coals, as if the object of his murderer had been to prevent the discovery of his dreadful crime, by securing the destruction of the body of his victim by fire.

In the adjoining room, they were more alarmed to find that Mr. Archibald Bolam, the actuary, was also lying on the floor, apparently insensible. He was lifted up, and some slight wounds were discovered in his throat, which passed through his stock; but before many minutes had elapsed he was sufficiently recovered to give an account of the mysterious affair. He said "I have lately had two or three anonymous letters, threatening to do me harm; and one was put under the door of the Savings Bank, last evening, after dark, saying that something would happen to me at home. In consequence of this, though I generally get my tea at the bank, I went home, the other clerk, Millie, having previously gone to his tea. I returned about half-past seven o'clock in the evening, and finding the door locked as I had left it, I opened it, and put the key into my pocket. When I got into the bank I saw Millie lying on the rug, and I thought he had fallen asleep. He also has a key, and sometimes locked himself in. I then went towards my desk, intending immediately to go and speak to Millie; but while I was about to open my desk, I thought I heard some one coming behind, and was in the act of turning round, when I received a blow on my right temple from a man in disguise, with his face blackened. I immediately started up, and ran shouting towards the window, intending to give an alarm, on which the fellow followed me, and said if I stirred, or made the least noise,

Digitized by Google

he would serve me as he had served the other man. He struck me again when I was near the window; and when I was down, I felt a knife at my throat. Shortly after this I became insensible for a while; but afterwards my recollection seemed to return, and I heard somebody in the other office, as I supposed, going about and making a noise. I dared not make the least outcry. I burnt the threatening letters which I had previously received. The one which I found last night under the waiting-room door I left upon my desk. I cannot well describe the man, excepting that I think he was under the middle size, and spoke roughly, but apparently in a feigned voice. I had a few shillings in my pocket, and I think 4*l.* 10*s.* in my desk, which was left by Mr. Airey to deposit on Saturday. In the inner safe I had a further sum of 80*l.* of my own, which I kept to meet current expenses." Further than this, Mr. Bolam said he had no recollection of what took place.

A story so extraordinary at once excited suspicion, more especially when it was discovered that the apparent object of the supposed murderer, namely plunder, had been left unfulfilled. The greater part of the papers and books of the bank were discovered to be undisturbed, and uninjured by the fire; and although the outer door of the strong-box was standing open, the inner lock was still fast. The key of this lock was stated (by Bolam) to have been left by him in his desk, but it was now nowhere to be found.

At a coroner's inquest held upon the body of the deceased, Bolam was examined at great length; but the confusion which he exhibited, and the inconsistency of his declarations still further increased the belief which was generally entertained, that he had himself committed the murder, and had fired the house to conceal the act, while he hoped to divert suspicion from himself by a simulated attempt at violence on his own person. The inquiries and statements of the police confirmed this suggestion; and at the conclusion of the inquest, a verdict of "Wilful Murder" was returned against him, and he was taken into custody. The investigation, however, was still carried on by Stevens, the superintendant of the constables of the town, with the most praiseworthy diligence. At a search of the house of the prisoner new evidence was procured. This consisted of the discovery of the key which was missing from the Savings' Bank, and also of a considerable sum of money in gold, which was concealed behind some books. It was also ascertained that Bolam had been seen at his own house at a period later than that at which he stated he had quitted it; and many other minute facts were learned at variance with his declarations. A new and more extensive search at the Savings' Bank brought fresh cause of suspicion to light. The absence of blood on the spot where the prisoner had been found lying, and the evident fact of the blood having flowed down his clothes, as if the wound had been inflicted while he was in a sitting posture, clearly showed the falsity of his story in this particular; and the further circumstance that three of the most recent account-books were missing, tended in some degree to supply a motive for the commission of such a crime by him, although it could hardly be supposed, that where means so much more easy to procure their destruction, had such been his object, could have been resorted to, he would have been guilty of an offence so atrocious in order to attain so simple an end. The excitement which prevailed upon the subject throughout the kingdom was very great, and motives and reasons for the

Digitized by Google

commission of the crime by the prisoner of all descriptions were assigned; but the most reasonable, and that which was eventually adopted by the jury upon the trial was, that some misunderstanding having arisen between Bolam and Millie, the former, in the heat of passion and anger, had assaulted the latter with the poker, and destroyed him; and had then arranged the tale which he subsequently narrated, and the appearances which were exhibited in order to conceal his guilt.

The sympathy which was created for the family of the unfortunate Millie was extraordinary. He had been left a widower with four children, and he had striven hard amidst adversities and vicissitudes of the most painful nature to maintain his children in a respectable station. Through the instrumentality of Bolam he was appointed to the situation which he held, the salary of which was 60*l.* a year, and he had performed the duties attached to it with great credit. The managers of the bank took care that his family should not be left entirely destitute in consequence of his death, and they liberally provided them with the means of immediate support; but an equally generous feeling was displayed by the public, and in less than one month 1000*l.* were collected by subscription to be appropriated to their use.

At the Spring Assizes of the year 1839, a bill of indictment was preferred against Bolam, for the wilful murder of the deceased; but in consequence of the very strong feeling which then prevailed against him, and the uncertainty which might be said to exist as to his obtaining a fair and impartial trial, the conclusion of the proceedings against him was postponed to the ensuing Assizes.

On Monday, the 29th of July, 1839, he was tried at Newcastle before Mr. Baron Maule. The case for the prosecution occupied the greater part of two days. At its conclusion, a great number of witnesses were called to the prisoner's character. The learned baron, in summing up, after having remarked upon the evidence produced to substantiate the crime of murder, said, "The prisoner may be guilty of the death of Millie under other circumstances. Some difference or altercation may have taken place between them. The evidence goes to show that there was no ill-will or malice; but among a thousand causes some spark of anger may have been kindled and blown up; a scuffle may have ensued, and the man at the bar may, in a state of excitement, have been the death of the deceased; and if he were so, and blows passed between them in conflict, he would have been guilty of manslaughter, and that would furnish motives enough for a statement which would, in his opinion, screen him from banishment from his native country and his friends. This view furnishes motives quite sufficient for the fire as well as for the other facts. I do not say that this is the inference you ought to draw, nor has it been suggested on either side; it is for you to consider it." The jury seem to have adopted this suggestion; and after having been absent considering their verdict for three hours, found the prisoner guilty of "Manslaughter."

He was subsequently sentenced to be transported for life, and quitted the country in pursuance of this judgment.

Digitized by Google

FRANCIS HASTINGS MEDHURST.

CONVICTED OF MANSLAUGHTER.

Mr. Medhurst was a young man of highly respectable connexions, and the offence of which he was found guilty was that of the manslaughter of a schoolfellow, Mr. Joseph Alsop, at the Rectory House Academy, at Hayes, in Middlesex. It would appear that this establishment was kept by the Rev. Mr. Sturmer, a clergyman of the Established Church, and minister of the parish of Hayes. Mr. Alsop and Medhurst were his pupils, the latter being about twenty-two, and the former twenty-one years of age. Mr. Dalison, another pupil, had quitted Mr. Sturmer's establishment on the morning of the day on which the unfortunate occurrence, which was subsequently the subject of judicial investigation, took place. On Saturday the 9th of March, 1839, Mr. Sturmer was in his study with Mr. Alsop and a pupil named Bunney, when Medhurst entered the apartment, and complained to Mr. Sturmer, that Dalison, whom he designated as "a blackguard," had broken the glass of his watch. Mr. Alsop, who had been a constant companion of Mr. Dalison's, indignant at the language applied to his friend, and perhaps irritated at former bickerings with Medhurst, exclaimed, "You are a liar and a blackguard for saying so!" and thereupon Medhurst, who carried a stick in his hand, immediately struck him several severe blows over the head and arms. A scuffle ensued, in the course of which Alsop wrested the stick from his opponent, and they had separated to the distance of five or six feet, when just as Alsop was again advancing towards Medhurst with the stick upraised as if to strike him, the latter suddenly drew a clasp-knife from his pocket, and opening it, stabbed his unfortunate antagonist in the belly. Mr. Sturmer had quitted the room at the commencement of the affray; and Bunney, horror-struck at the dreadful act of his fellow-pupil, rushed from the apartment to procure assistance. Mr. Sturmer now hastened back to the scene of the affray, and he found that Alsop was on the floor, supported by Medhurst, while the latter appeared to be bitterly lamenting the act of which he had been guilty. They both of them declared that they had been in the wrong, and Mr. Alsop freely forgave his scarcely less unfortunate fellow-pupil. Surgical assistance was obtained; but it proved to be without avail, and after lingering a few days the unhappy young man died.

It was not, however, until Friday the 15th of March, that Medhurst was taken into custody; and on the next day, and the following Monday, an inquest was held on the body of the deceased. From the evidence which was then produced, it appeared that the deceased and the prisoner had quarrelled upon more than one occasion before the 9th of March, and that in all these misunderstandings the part of the deceased had been taken by his fellow-pupils. Expressions of a violent description had been made use of by Medhurst, as to using a knife in case of his being attacked; and he was shown to be in the possession of an instrument of a most dangerous character. It was his habit, it appeared, to carry a stick almost constantly in his hand; and Mr. Sturmer admitted that he had known him go about the house, armed with loaded pistols. In the course of the inquiry, facts were elicited which showed a great want of energy in the conduct of Mr.

Digitized by Google

Sturmer, who by his interference on the morning of the 9th of March, might have prevented the melancholy result of the quarrel, the commencement of which he witnessed. A verdict of "Wilful Murder" was returned against Mr. Medhurst by the coroner's jury, and he was conveyed to Newgate to await his trial upon that charge.

At the Central Criminal Court on Saturday the 13th of April, the prisoner was put to the bar to be tried upon the indictment which had been preferred against him, and he was found guilty of the minor offence of "Manslaughter."

Upon this conviction he was sentenced to three years' imprisonment in the House of Correction.

Mr. Medhurst, as we have already stated, was a young man of respectable connexions, and of considerable expectancies. It is not a little remarkable, that his grandfather was also tried for murder, though he escaped the consequences of his act, by proof being given of his insanity. His wife, it appears, was the victim of his attack; and her death was caused by a stab which she received from the hand of her husband in a moment of passion. For this alleged murder he was tried at the York Assizes in the year 1804, but acquitted as we have stated, on the ground of his being insane. At that time the unfortunate man was a stock-broker of eminence, possessed of great property in Yorkshire, where he kept a large establishment and a pack of hounds. At the time of the conviction of his grandson he was still alive, and an inmate of a lunatic asylum at Hillingdon, Middlesex, but bowed down by age and infirmity almost to the grave, and unconscious of the guilt of his descendant. The father of young Medhurst died about two years before his son's conviction. He had married an Italian lady, and the unfortunate culprit whose case we have detailed was the offspring of the union. There were other sons, however; one of whom was an esteemed member of the Church of England at the period of his unhappy brother's trial.

WILLIAM JOHN MARCHANT.

EXECUTED FOR MURDER.

THE criminal in this case held the situation of footman to Mr. Henry Edgell, a magistrate, resident at No. 21 Cadogan-place, Chelsea, and the victim of his crime was a young woman, named Elizabeth Paynton, who lived as under-housemaid in the same family.

The circumstances of the case are few and simple, and may be narrated in a short compass. On Friday, the 17th of May 1839, Mr. Edgell and his family quitted the house in Cadogan-place in their carriage, for the purpose of proceeding to Foot's-cray, in Kent, leaving Marchant, the deceased, the cook, and the upper house-maid, at home. The two latter individually also went out, and thus Marchant and the girl Paynton were left alone in the house. On their return they were unable to obtain admittance; and the coachman and upper-footman having now got back from Foot's-cray, they went to the stables and procured their aid. Middleton, the coachman, scaled the garden-wall, and with some difficulty burst open the back-kitchen door, and having let in the other servants they all proceeded to examine the house. On their reaching the drawing-room, they saw the deceased

Digitized by Google

lying on the floor, and it was at first supposed that she and Marchant were lying there together. This idea, however, was immediately dispelled by the discovery of a pool of blood near the head of the unfortunate young woman, whose throat was observed to be dreadfully cut. A razor lay by her side, which was evidently the weapon with which she had been killed; and it being ascertained that Marchant had absconded, suspicion at once attached to him. Surgical assistance was at once called in, but in vain The carotid artery and jugular vein had been severed by a most deter mined cut; and the wretched young woman must have been dead some hours. Upon an examination of the body it became evident that the deceased had struggled hard before the murderer was able to effect his object, as her hands were found to be much cut; but there were no appearances to justify the supposition which was entertained, that there had been any criminal assault committed upon her person.

On the Sunday after the murder, Marchant surrendered himself into the custody of a police-officer at Hounslow, to whom he at once confessed the murder, without, however, assigning any reason for its commission. He appeared to be terrified at what he had done; and as he walked into town frequently looked behind him, declaring that he fancied he heard the murdered woman at his back.

On Friday, the 21st of June, the prisoner pleaded "guilty" to the indictment for the murder which had been found against him at the Central Criminal Court, and sentence of death was immediately passed upon him. He appeared to be in a lamentable state of weakness and misery, and to be deeply penitent for his crime. He subsequently entered freely into conversation upon the subject of the murder, and confessed the circumstances attending its commission. He stated that he had found the deceased in the drawing-room of his master's house, and had made overtures to her of an improper character, which she had indignantly repulsed. He strove to force the unhappy girl to a compliance with his wishes, but she resisted with her utmost strength; and then drawing the razor from his pocket, which he had taken from the upper-footman's pantry on his way from the kitchen, in a moment of ungovernable passion he cut her throat in three places, with the greatest determination, amidst her cries for mercy and of "murder."

On Monday the 8th of July the wretched culprit was executed. He met his death with much firmness, and was apparently sincerely penitent. He was attended to the scaffold by the Rev. Mr. Carver, the ordinary of the jail, newly appointed in the room of Dr. Cotton, who had so long held that post, but had recently resigned.

The unhappy youth Marchant, at the time of his execution had only reached the age of eighteen years. He was the son of decent parents, and had been remarkable during the early part of his life, the greater portion of which he had spent in service, for his extreme humanity and gentleness of disposition. The victim of his crime was twenty years old at the time of her death. She was a young woman of prepossessing appearance and of sprightly disposition, and she had often laughed at her fellow-servant and eventual murderer, for a supposed affection which he professed for her. Up to the moment of their being last seen together, however, they were upon the best terms. The dreadful crime of Marchant could only be attributed to the cause which was assigned for it by its perpetrator.

Digitized by Google

LEWIN CASPAR, ELLIS CASPAR, EMANUEL MOSES, AND ALICE ABRAHAMS.

CONVICTED OF FELONY.

THE extraordinary robbery to which these persons were parties, involved circumstances probably more singular than any other which ever came before a court of justice. The affair has generally been known by the name of the "Gold-dust Robbery;" the produce of the plunder being gold-dust of the value of upwards of 4000*l.*; and the facts which attended the investigation of the circumstances most forcibly illustrated the adage, that "When rogues fall out honest men get their own." As will be observed from the names of the culprits, the persons who were convicted were of the Jewish persuasion; and truly, the proverbial cunning and habits of cheating of these people were most singularly exemplified throughout the whole course of the inquiry.

On Monday afternoon the 25th of March 1839, the robbery was effected. It appears that two boxes of gold dust, from the mines of the Brazilian Mining Company in South America, had reached England on the 18th of the month, and had been landed at Falmouth from H. M. S. Sea-gull, from whence they were to be forwarded to London, consigned to Messrs. Marsh and Co., the agents of the Company. At Falmouth they were put on board the City of Limerick steam-ship, and on Monday morning, the 25th of March, they were landed at the wharf of the Dublin Steam-packet Company at St. Katherine's. On the same morning a letter was received by Messrs. Hartley and Co., the agents of the Dublin Steam Navigation Company, in John-street, Crutchedfriars, to whom the City of Limerick steamer belonged, purporting to be from Messrs. Carne and Co., of Falmouth, apprising them of the transmission of the gold dust, and instructing them to hand it over to a person who should call at their office, and produce certain documents. This letter was opened by Lewin Caspar, a clerk in the establishment; and on the same afternoon a person drove up to the counting-house, and presenting certain papers desired that the boxes of precious metal should be delivered to him. From his manner no suspicion was raised, and the credentials which he produced, giving a description of the boxes and the marks upon them, tended to remove all doubt as to the authenticity of the character which he had assumed. His right to the boxes, therefore, being apparently established, he paid the wharfage dues, and the trunks with their golden contents were placed in the cab in which he had arrived. He gave the foreman of the wharf a shilling for his civility, and then drove away without the smallest suspicion being excited that he was not fully entitled to the goods which he had claimed.

In a few hours, however, an authorised agent of Messrs. Marsh, the consignees, arrived at the counting-house, and making known his character, and demanding the gold-dust upon the authority of vouchers which he produced, the fraud was discovered. The contents of the boxes were valued at 4600*l.*, and as this loss would fall upon the Dublin Steam-packet Co., the consternation which was created among their servants at this event may be well imagined. Instant steps were taken to secure the individual by whom the robbery had been so ingeniously effected, and

Digitized by Google

Lea, and Roe, police-officers, were engaged to pursue the necessary investigation. In the course of the same day the cab which had conveyed the thief to Messrs. Hartley's wharf was discovered, and the driver questioned, but the only information which he could afford was, that the individual who had employed him had hired him in Cheapside, and he had driven him back to Wood-street, where he had quitted his vehicle and had entered another cab, which proceeded in a direction towards Holborn. A clue so vague was not easily to be followed; but the officers pursued their investigation with unabated vigour and determination, and at length after infinite difficulty they traced the thief to No. 12 New-street, London Hospital; from whence, however, they found he had now removed to a house in Mansell-street, Goodman's-fields, with all his furniture, but from which again he had absconded no one knew whither. From the inquiries made by the officers they ascertained that the name of this person was Moss; and that he was foreman to Mr. Hyams, a watchmaker in Goodman's-fields; that before the robbery, as well as on the day of its commission, he had been observed to be in frequent and earnest conversation with Ellis Caspar, whose son, Lewin Caspar, as we have already stated, held the situation of confidential clerk to Messrs. Hartley and Co. No time was lost in taking these persons into custody, and then it was elicited from the servant of Moss, that both those individuals had occasionally visited her master;—that on the day of the robbery, Moss, contrary to custom, went out in his best clothes, and that in the evening he came home in a cab with two boxes corresponding in appearance with those which had contained the gold-dust, and the half-burned fragments of which she subsequently saw under the grate of the sitting-room. Some mysterious whisperings after this took place between Moss, and his wife, and her sister; and on the next morning they quitted New-street for Mansell-street. The description which was given of Moss exactly corresponded with that of the thief; and the exertions of the officers were now applied to secure his apprehension.

In the course of the inquiries which were now made, the circumstance of the purchase of a large quantity of bar-gold by Messrs. Bull and Co., bullion-dealers in Cheapside, from Mr. Henry Solomons, a gold refiner at No. 58, Strand, was elicited, and Messrs. Bull and Co. instantly afforded every assistance to the police. On Saturday, the 6th of April, Mr. Solomons was examined at Lambeth-street police-office, when he admitted having sold 1200*l.* worth of bar-gold to Messrs. Bull; but he stated, that that gold was the produce of a large quantity of snuff-boxes and other articles which he had melted, the precise nature of which he could not describe; that he had received the 1200*l.* and had paid a great portion of it away; but finally, he protested against being further questioned, and refused to give any more information upon the subject.

At a subsequent examination Mr. Solomons was placed at the bar with the two Caspars as a principal in the robbery; and then Moss, who upon an understanding that he should be admitted in evidence against the prisoners, had surrendered himself into custody, appeared as a witness. The effect produced upon the prisoners, by his presenting himself in this capacity, was remarkable; and it was observed that Solomons, no longer confident, appeared to be applying himself to devise means to be placed in the position of his late coadjutor. The evidence of Moss explained the whole

Digitized by Google

transaction, and showed the extraordinary workings of the system of villany which was carried on. For the present his statement was not published, as there were yet other persons to be secured; but it was understood that it amounted to a complete revelation of the whole of the circumstances attending the robbery.

On Tuesday May the 7th, two new prisoners were placed at the bar, named Emanuel Moses, or "Money Moses," as he was familiarly called, and Alice Abrahams, his daughter, who was a widow; but as there were still other parties not in custody, who had been participators in the transaction, it was deemed advisable that secrecy should still be observed upon the subject of the evidence which had been obtained. From other witnesses, however, the fact of the sale of a large quantity of gold-dust by Moses and his daughter to Solomons directly after the robbery was elicited; and it was also shown that the latter in melting it down, had thrown copper and silver into it, in order to change its exact character, and thereby prevent its identification.

On Saturday, May the 25th, another examination took place of the prisoners, when Solomons was also admitted in evidence; and at length, on Friday the 21st of June, the prisoners, Lewin and Ellis Caspar, Money Moses, and Alice Abrahams, were committed for trial.

On Monday, June the 24th, the trial commenced at the Central Criminal Court, before Mr. Justice Littledale, but it occupied a period of no less than eight days, only terminating on Tuesday the 2nd of July.

The prisoners were indicted together with one Isaac Isaacs, *alias* Davis, not in custody. The indictment alleged the robbery to have been committed by some evil-disposed person, and then stated that before the said felony was committed, the prisoners, Lewin and Ellis Caspar, did feloniously incite and encourage the said evil-disposed person to commit the felony; it then alleged that Ellis Caspar, Emanuel Moses, and Alice Abrahams, had received the stolen property, well knowing it to have been stolen.

Mr. Clarkson stated the facts of the case to the jury, and then proceeded to the examination of the witnesses.

The arrival of the gold-dust at Falmouth by the Seagull was proved, as well as its subsequent transmission to London by the City of Limerick, and its arrival at St. Katherine's on the morning of the 25th of March. It was then shown that on the 23rd of March, Messrs. Carne and Co. of Falmouth, despatched a letter to Messrs. Hartley, informing them of the valuable commodities which would be delivered to their keeping; and it was also proved, that on the arrival of the City of Limerick in London, the boxes were delivered into the custody of the younger Caspar, the clerk at the wharf, who promised to take care of them. It was shown that young Caspar exhibited great anxiety about the boxes, and that on the messenger coming for them, he at once delivered them over to him, although he had previously expressed some fears lest the papers which he brought should not be genuine documents. Caspar on that morning had gone unusually early to his office; and upon the letter arriving from Messrs. Carne, he opened it, and subsequently went out. He came back, however, before any application was made for the gold-dust, and remained until it was handed over to the messenger who went to fetch it. When the robbery was discovered, he affected great consternation and alacrity, and proceeded at once to give a description of the person by whom the boxes

Digitized by Google

had been obtained; but he so falsified the account which he delivered, that but for the fact of his having been seen and observed by other servants in the warehouse, who correctly described his person, all clue to his identity must have been lost.

Henry Moss, the approver, was then called, and his evidence showed that a design, such as that which was at length completed, had long been in contemplation by the two Caspars, but that a favourable opportunity for putting it into execution did not occur until the month of March 1839. He stated that he had been acquainted with the elder Caspar, who was a watchmaker living on Finsbury Pavement, for about sixteen years, having for some time acted as his foreman. Young Caspar learned the business of a watchmaker from him; but subsequently he ascertained that he had procured employment as a clerk in the service of the Irish Steam Packet Company. He had been frequently in the habit of seeing the two prisoners during the last sixteen or eighteen months before the robbery; and in October 1838, at the invitation of Ellis Caspar, he called upon them at their house. He was subsequently frequently requested to visit them, but he did not avail himself of the invitations; and at length the cause of their apparent friendly disposition was exhibited by old Caspar saying that he wanted him "to do him a favour." He said that he was willing to do what he could for him; and then he desired him to meet him at Williams' Coffee-house, St. Martin's-le-grand, where a person would join them, who would explain the business to him. He went there and met old Caspar, but he took him away from the house; and having entered a cab with him, they drove to Charing-cross, where he said they should meet the person he had spoken of. They went into a coffee-house, and there they saw Lewin Caspar; but as the room was crowded the subject was not then broached, and they all walked out into the park. Here old Caspar desired his son to explain what he wanted done, and after some preliminary observations he began. He said that he wanted the witness to carry a letter for him to Crutched-friars, and to take away some boxes, which he was to deliver to his father. Old Caspar would give him the letter on the day when he was to carry it; and he (young Caspar) would give him the boxes. He added that if he would do them this service, they would amply recompense him, and that they employed him in preference to a ticket-porter, who could do the business as well as he, because the matter required secrecy, as his father must not be seen in it. The letter which he referred to was to be carried on the next morning; and he was to meet old Caspar at a coffee-house near Monument-yard. He went to the specified spot, and presently saw old Caspar; but he said that he had not yet seen his son, from whom he was to obtain the letter. He went out, but returned in about a quarter of an hour, accompanied by his son, who had in his hand what appeared to be a letter. Lewin Caspar then said that the box which he was to fetch was to come by a ship which had not yet arrived, and that they must all meet again in the afternoon; but on their second assemblage at the same place, he declared that an accident had occurred in two ships having run foul of each other, in consequence of which the delivery of the box, which was at the bottom of the cargo, would be delayed until the next day. On that day they met again; but then Lewin Caspar said that the box would be too heavy for him to carry, and having given him ten shillings, they dismissed

Digitized by Google

him with an intimation that they should require his aid on some other occasion, and that they would write to him. He subsequently received several notes from them, and met them according to appointment, and he was then employed in copying various letters, which from his description of them, appeared to have had the same object of plunder, as that on which, in the present instance, the gold-dust had been delivered. At length, on the 24th of March, he met the two Caspars in Turner-street, Commercial-road. They went with him to his house in New-street, and then they told him that they should want him on the next morning, and they desired him to meet them at the corner of Mark-lane. He went there at half-past ten o'clock, and saw them together; but Lewin quitted his father, and the latter then came up to him, and said that he had something to give to him, but did not like to do so in the street. They, in consequence, went to a Coffee-house in Mark-lane, and there old Caspar handed a letter and a blue bag to him. He was desired to take a cab and go to Lewin Caspar, at his office, and he was told that he would there receive something which he was to carry to Wood-street, Cheapside. He accordingly proceeded to the office of Messrs. Hartley, in John-street, Crutched-friars, and having sent in the letter Lewin Caspar came to him. He compared the letter which he (Moss) had delivered, with another which he held in his hand, and then he said that he must go into the office. In a few minutes he gave him an order on the back of the letter, with instructions that he should present it at the Dublin Steam-wharf, Iron-gate Stairs, adding that he should be there as soon as he. The witness, before he proceeded to the wharf, delivered some articles for his master, and he also took a fresh cab in Cheapside, having left that in which he had before ridden in King William-street. On his reaching the wharf he presented the order, and two boxes were delivered to him by Mr. Bristoll, the foreman, which he put into the cab. He gave a receipt for them, signed in the name of Dunn; and he ordered the cabman to drive him to the Cross Keys, Wood-street. Ellis Caspar was not there, and the boxes were carried into the office, but in a few minutes he got another cab, and drove to the London Hospital. He took one of the boxes and carried it to his own house, where he deposited it in a cupboard, in his bed-room, and he was returning for the other, when he met Ellis Caspar. He told him that he had acted imprudently, in going so near home with the cab, and desired him to drive about for an hour before he took away the other box, and then to take it out at a distance from New-street, and carry it home. He accordingly did so, and having at length quitted the cab at the Iron Bridge, Commercial-road, he entered an omnibus with the box, from which he took it to his own house. There he found Caspar waiting for him, apparently in a great state of trepidation. He told him to send his servant out of the way, and that he must get rid of the boxes as soon as possible; but he (Moss) declared, that having received an assurance that he should suffer no harm from what he had done, he was not afraid. Caspar said that the officers were already on the look out, and that he must quit his house immediately; but he answered that he could not do so, as he had not given notice to his landlord. To this Caspar replied that he must sacrifice every thing, and directed him to meet him on the next evening, when he would pay him whatever he required. At eleven o'clock the boxes were taken into the back parlour, Ellis Caspar, Mrs. Moss, and the

Digitized by Google

witness, then only being present. The boxes were opened, as Caspar said, in order that their contents might be divided, to be carried away; but inside there appeared to be tin cases; and as these were small, it was decided that they should not be broken, but that they should be divided among them, and carried off. Caspar then went away; and after he had retired, the witness and his wife set about burning the boxes. It was daylight before they went to bed. On the next morning the witness opened one of the tin cases, and found it to contain gold ore. He wrapped all the boxes in paper, and put each into a separate trunk, and they were on that afternoon carried to Mansell-street, in a truck. On the same evening the witness met Ellis Caspar at the Horse Guards, and he told him that the boxes must be again removed. The witness wished him to remove them, but he refused, saying, that his son was already suspected, and he expected that his house would be searched. He advised him then to get his sister, Mrs. Levy, to take a lodging, and to carry away the gold in trunks to her. They were then to be sent down to Bath, to a direction which he gave, and the two Caspars were afterwards to go and fetch them. This plan, however, was subsequently abandoned, and by the desire of Caspar the witness went out of the way, because it was said that the officers were in search of him. He went to the house of his father-in-law Davis, in Coventry-court, and the gold was brought there to him. He kept it for some time in a cupboard, but then Davis would not let it remain there any longer, saying, that his (witness) house had been searched, and Davis and Mrs. Abrahams carried it away in small portions. Mrs. Abrahams subsequently told him that it had been sold to Solomons, for 2000*l.*; but he complained that this was short of the actual value, and she declared that she had taken all she could get. She then handed over to him an I O U for 1807*l.*, signed "H. S.", and money and bank-notes, which raised the sum to 2000*l.* The witness subsequently went out of the way to Peckham, and other places; but at length disclosed his knowledge of the transaction, and surrendered himself into custody.

It may be mentioned here as a singular circumstance in the case, that the witness was induced to give information of what had occurred in consequence of an apparent disposition on the part of Solomons to deprive him of the fair price of the gold. So far, too, did all the parties carry their schemes of mutual plunder, that Mrs. Abrahams "welled" 13*l.* which she procured for the shakings of her pockets in which she had carried the gold-dust, of which she gave no account to her father or any of the other parties to the transaction.

The evidence of Solomons distinctly implicated both Moses and his daughter. He stated that on Easter Tuesday the former entered his shop and intimated a desire to speak to him privately. They went to his sitting-room, and then Moses informed him that he had a quantity of gold-dust for sale. He agreed to purchase as much as fifty ounces, at 3*l.* per ounce, and Moses went away, saying he would send his daughter with some of the gold, and adding, "Mind, you don't know me, nor I don't know you." In a short time Mrs. Abrahams entered the shop and said, that she had brought what her father had spoken about, and she directly went with witness to his melting-room, which was on the ground-floor, at the back of his house. He put a crucible on the furnace, and she produced from her bosom and other parts of her dress a large

Digitized by Google

quantity of gold. He melted it and then placed it in skillets, in which he took it into the shop and weighed it. There were one hundred and two ounces. He was alarmed and agitated; and Mrs. Abrahams perceiving his terror, took his hand and swore a Hebrew oath that she would never disclose what she knew. Before she went away, he gave her a memorandum of the weight of the gold, and paid her 350*l.* in notes and sovereigns for it. In about three-quarters of an hour she brought more, and she subsequently went and came six times, producing gold upon every occasion. The witness had to send to the city for money, and at the end of the transaction he was still in her debt to the amount of about 2500*l.* He gave an I O U for the amount, but that was returned to him, and then he gave her another for 1807*l.* He also paid her 13*l.* for some gold which she produced, and which she said were the shakings of the bag. The witness went into the minutiæ of the transaction between him and Mrs. Abrahams, and admitted that he for some time refused to pay his I O U, on the ground that there had been a great stir made about the gold, and that after his examination at Lambeth-street he had exerted himself to procure the notes which he had paid to her cashed. He had sold a part of the gold to Messrs. Bull and Co., and a part to Messrs. Cock and Johnson, and he had made "good profit" of the transaction. The total amount which he was to pay Mrs. Abrahams was 3700*l.*

Both Moss and Solomons underwent long and searching cross-examinations by the counsel for the prisoners. Each admitted his knowledge of the felonious nature of the proceedings in which he was engaged, and neither attempted to deny the feelings which had actuated them throughout the transaction. A disposition had been shown to put off Moss with the paltry amount which he had received beyond the I O U for his share in the transaction. He sought to appropriate to himself the whole of the proceeds of the robbery in preference to handing it over to the Caspars: Mrs. Abrahams and her father, Money Moses, cheated Moss, by declaring that they were to receive much less for the gold than had been actually agreed to be paid: Mrs. Abrahams, again, cheated her father, by appropriating to herself the 13*l.* for the shakings; and Solomons sought to "Jew" the whole party, by retaining in his possession 1800*l.* worth of gold, for which he gave only his I O U, and for which he refused to pay, in consequence of the stir which was made about the robbery.

On Monday, the first of July, a variety of legal objections were taken by Mr. Serjeant Bompas and Mr. C. Phillips on the part of the prisoners to the indictment, the most prominent of which was, that until, by the conviction of the thief, the robbery had been proved, the receivers could not be found guilty. On the part of Lewin Caspar, however, it was also urged, that the indictment was bad, as alleging him to be an accessory before the robbery, which was stated to have been committed by an evil-disposed person, whose name was not mentioned.

These objections were overruled by the learned judge as being unfounded; but, upon the application of counsel, they were reserved for discussion in the Court of Error, and on Tuesday, 2nd July, the case was left to the jury. His lordship's charge occupied a period of eight hours, and at its conclusion the jury retired.

In about an hour, however, they again came into court, and delivered a verdict, declaring Lewin Caspar "Guilty of inciting Moss to commit the

Digitized by Google

felony, and the whole of the other prisoners guilty of the offence of receiving the gold-dust, knowing it to have been stolen." Ellis Caspar was declared to have been an accessory both before and after the robbery, and Alice Abrahams was recommended to mercy, on the ground that she had acted under the advice and influence of her father.

On the 10th of November in the same year, the objections which had been raised on the trial were argued before the judges in the Exchequer Chamber. Their decision was not immediately made known, but on the 6th February 1840, the prisoners were ordered to be placed at the bar.

Mr. Justice Williams then addressed them, and said that, after a full inquiry into the objections raised in their behalf, the judges had come to the conclusion that the judgment upon Lewin Caspar must be arrested, and that with regard to the other prisoners, they had been properly convicted. The learned judge then sentenced Ellis Caspar, and Emanuel Moses to be transported for fourteen years, and Alice Abrahams to four months' imprisonment.

Upon the application of Mr. Clarkson, Lewin Caspar was ordered to be detained.

On the 6th of March 1840, Lewin Caspar was again placed at the bar, to plead to another indictment which had been preferred against him, in which the error which had been discovered in that on which he had been already tried was corrected by the "evil-disposed person" by whom the robbery was committed being stated to be Henry Moss. The indictment alleged that he had incited and moved Moss to commit the felony, and Moss was also charged as the principal. Caspar pleaded "Not guilty," but Moss, on being brought up, confessed himself "Guilty."

Mr. Clarkson intimated, that the prosecutors were not desirous of proceeding against Moss, in consequence of his having assisted the due administration of justice, by disclosing all he knew in reference to the transaction, and he was sentenced to twenty-four hours' imprisonment in Newgate.

On the following day Caspar was arraigned upon the indictment against him, which still remained to be tried.

The same evidence which had been before detailed was now again produced, Moss being the principal witness in the case, and the prisoner was found "Guilty."

The learned Judge, in sentencing him to be transported for seven years, expressed his sincere regret that he had not the power to inflict upon him a more severe punishment. The prisoner was then removed from the bar, and was sent abroad, in obedience to the judgment pronounced upon him.

The positions and rank of all the persons connected with this extraordinary transaction have been referred to in the course of the details which we have laid before our readers, with the exception of Emanuel Moses. There were few persons well acquainted with the vicinity of Covent-garden to whom the person of this man was not familiar, although his particular character and practices may not have been so well known. He was, as we have already intimated, of the Jewish persuasion, and he resided in the midst of a neighbourhood in which the fullest opportunities were afforded for his carrying on a system; the nature of which may be pretty well guessed from the circumstances disclosed in the case which we have just

Digitized by Google

related. The landlord of "The Black Lion" public-house, in Vinegar-yard, Drury-lane—it was pretty generally known that he was one of the most daring and successful "fences," or receivers of stolen goods in the metropolis. The ramifications of his business were well ascertained to extend to every species of roguery which existed in London, and it cannot but be matter of surprise, that a person whose reputation was so universally known should have so long continued, in the very teeth of the authorities, to pursue his trade of plunder. Such an event as the conviction of "Money Moses," almost the father of his particular line of trade, produced an amazing consternation among his fellows; but the metropolis is to be congratulated, that a person whose character was so notoriously mischievous, should have been thus removed from the scene of his operations. During the period of Moses's imprisonment in Newgate, a striking change took place in his appearance. Originally exhibiting upon his person all the signs of indulgent living, his confinement reduced him to the shadow only of his former self; and there were to be heard amongst his friends, at the time of his receiving sentence, regrets at his faded aspect, and apprehensions that the voyage to Australia would complete the work which the air of a prison had commenced.

It will have been observed, that the manner in which the whole of the lost property was discovered has been disclosed in the course of our recital of the extraordinary circumstances of this inquiry. Messrs. Hartley and Co., upon whom the loss would have fallen in case of the non-recovery of the gold, suffered comparatively small damage. A very considerable portion of the gold itself was produced; and, for that which was not actually forthcoming, we believe there is good reason to suppose that an equivalent was eventually paid.

JACOB FREDERICK EHLERT.

EXECUTED FOR MURDER.

THIS diabolical murder was committed by Ehlert, the mate of the Norwegian brigantine Phœnix, upon John Frederick Berkhalt, captain of the vessel, while she lay in the river at Sunderland. The atrocious transaction was first brought to light by the discovery of the murdered remains of Berkhalt in the river at Sunderland, on Friday the 14th of June 1839, with such appearances upon his body as left no doubt that his life had been taken away by violent means; and suspicion at once attached to the crew of his vessel. They were all secured, protesting their ignorance of the murder, and alleging that the captain had gone ashore on the night of the previous Tuesday, since which they had seen nothing of him; but the discovery of marks of blood in his cabin left little doubt of his having been murdered on board the Phœnix, and then thrown into the river, in order that his death might be concealed. This belief was speedily confirmed by the confession of a boy named Daniel Frederick Muller, aged nineteen, who was employed in the ship, and who now voluntarily disclosed the whole of the circumstances of the horrible crime, implicating Ehlert the mate.

His statement was to the following effect:—On the night of Tuesday the

Digitized by Google

11th of June, he had the twelve-o'clock watch, and at about half-past one Ehlert came on deck and called him below. He asked what he was wanted for, but he was desired to ask no questions, but to follow whither he was led. The mate had a hammer and a lantern in his hand, and he went into the captain's cabin. When there he gave the lantern to Muller and desired him to hold it, and then he directly raised his hammer and dealt three tremendous blows on the head of Berkhalt as he lay asleep. The unfortunate man scarcely moved; but Muller, terrified beyond measure, exclaimed, "Mate, what are you doing?" and tried to run away. In this, however, the mate prevented his succeeding, and seizing him by his arm, he said that he must remain. The mate then took the body from the bed and slung a rope round the neck, and he partially clothed it in a pair of stockings and trousers, and then drew a canvas bag over it. The boy now again attempted to escape, but the mate threatened to murder him if he went away, and drew a clasp-knife from his pocket, as if to put his threat into execution; but he told him that if he remained he would give him 300*l*., for that there was plenty of money in the captain's cabin. The boy soon after went on deck and wept bitterly, and while he was there the mate came to him and took the skylight off the captain's cabin. He then cut a long cord off the gear, and going below again he tied it round the body, so that he could raise it by that means through the skylight. On his again reaching the deck, he ordered Muller to bring the boat round to the side, and while he was doing so, the boy saw him throw the body over the stern. Both then entered the boat, the mate holding the rope which was attached to the body of the deceased, and they rowed away to the opposite side of the river. The mate there picked up a large stone, and they pulled some distance up against the tide. As they went along the trousers and bag slipped from the body. At length they stopped, and then the mate fixing the stone upon the body let it go, and it sank to the bottom. They now returned to the ship, and Ehlert having called the next watch retired to rest, telling the boy that at four o'clock, the conclusion of the present watch, he would call him up as if to take the captain ashore, so that the crew might suppose that he did so. This was done, and he rowed away the boat as if he had the captain in her. The night of the murder was dark and rainy. The boy added, that he had done nothing himself in the way of assisting in the murder, but that he had tried very much to get away. The mate had, however, threatened him a great deal so as to prevent his escape, and having compelled him to aid him in the transaction, had given him instructions what to say in the event of his being questioned.

Upon this statement, Ehlert was committed to take his trial; and the boy was also detained in jail to ensure his attendance as a witness.

On Saturday the 27th of July, the prisoner Ehlert was put upon his trial at the assizes. The evidence of the boy was corroborated by that of other witnesses in many material particulars, and a verdict of "Guilty" was returned by the jury.

Sentence of death was instantly passed, amidst the unavailing protestations of the wretched convict of his innocence. Between this period and the day of his execution, Ehlert continued firm in his denial of his participation in the murder, and imputed the whole guilt of the transaction to Muller, who he said had destroyed the captain under the very circum-

Digitized by Google

stances which he had detailed, as having been those under which he had committed the foul crime. He said he had discovered the completion of the deed, and out of compassion for the boy had omitted to give him up to justice. Muller, however, persisted in the truth of his tale, and on the 16th of August the miserable convict was executed.

GEORGE CANT.

CONVICTED OF RAPE.

THE case of this individual presents circumstances of so remarkable a character to our notice, that we should be guilty of a neglect of our duty if we omitted their recital.

At the Central Criminal Court on Thursday the 31st of October 1839, George Cant, a publican, aged forty years, was indicted for a rape upon Jane Bolland; and in order that the course which the case took may be understood, we shall repeat the evidence which was given by the witnesses at the trial, in preference to a general narrative of the proceedings.

Jane Bolland deposed that she resided with her brother in Solomon-terrace, St. George's-in-the-East. On the 30th of September she went to live as bar-maid at the Windsor-castle, public-house, Holborn, kept by the prisoner. She slept in one of the attics, and the prisoner and his wife slept in the room underneath. The prisoner called her on the morning of Thursday, the 3d of October; when she came down to the bar the prisoner patted her on the cheek with something; he laid his hand upon her breast, and insisted upon kissing her. She threatened to inform Mrs. Cant of his conduct, and he said, "What the eye did not see the heart would not believe." He then wished her to leave the door of her room open that he might come in when he came to call her in the morning; but she told him that she was not the sort of person he imagined her to be, and left the parlour. In the course of the day her brother and a person named Balfour called upon her, and she communicated to them what the prisoner had said and done to her. Mr. Balfour said, that after what had passed he did not think the prisoner would again attempt to use indecent liberties with her, and her brother, at the suggestion of Mr. Balfour, advised her not to leave her situation. Subsequently on that day she became unwell, and about eight o'clock in the evening she was conveyed up stairs to bed, but she was then so ill that she could not recollect who went up to her room with her. She was insensible when she reached her bed, but during the night she partially recovered, and then she found the prisoner at the bedside. He placed one of his hands upon her mouth to prevent her calling out, and a struggle took place and she fainted. There was a candle on the table in the room. About six o'clock in the morning she recovered her senses, and found her clothes, which had not been taken off, in disorder, and the bone of her stays broken. The offence charged in the indictment had been committed when she was in a state of insensibility. The prisoner was then standing at the door of her room, and she cried out to him, "You villain, you shall not come in." He answered, that she was a drunkard and should not again enter his bar. She went down stairs to inform Mrs. Cant of what the prisoner had done; but when she told that person that her

Digitized by Google

husband had used indecent liberties with her, Mrs. Cant said, "I will not hear you, you drunken hussy." She immediately left the house, and went to her brother's, where she told what had happened to her. On the Saturday following she was examined by a medical gentleman.

On her cross-examination by Mr. C. Phillips, who appeared for the prisoner, she stated that a young man named Joseph Edwards had slept at her master's house on the night of the 3d of October, and that he accompanied her home on the next day. He was a friend of Mr. Cant's, and she had observed him in attendance at the Court. She was subject to a swimming in the head, and was suffering from this complaint when she went to bed on the evening in question. She was not intoxicated, and had taken nothing during the whole day, with the exception of one glass of half-and-half.

The brother of the prosecutrix and Mr. Balfour, a wine-merchant's clerk, corroborated that part of the evidence of the witness, which referred to her conversation with them; and Bolland further deposed, that his sister had some years previously suffered from a severe attack of erisypelas in her head, from the effects of which she had been for some time insane. She was still occasionally subject to determination of blood to the head.

The wife of Bolland, and the medical man referred to, both gave evidence which left no doubt that the offence which was complained of by the prosecutrix had been committed upon her person; and Mrs. Bolland declared that her sister-in-law, when she saw her on the Friday, exhibited all the agitation which might be supposed to be incident to such an occurrence.

The prisoner was proved to have been taken into custody by a constable named Wells, when he said that he had "only kissed the girl;" and this closed the case for the prosecution.

Mr. Phillips then addressed the jury for the prisoner, and disclosed a most extraordinary defence on his behalf. He disclaimed all intention of impeaching the young woman's character, and was happy that he had no reason for making even an insinuation against her in regard to her conduct previous to this occasion. That she was deeply to be commiserated he owned; and that she had come here to tell what she believed to be the truth, he had not the least doubt. He was sure, however, that both reason and a sense of justice would compel the jury (if the witnesses he intended to call for the prisoner should speak the truth) to say that they could not see their way through the case, and that such doubt was created in their minds, as would warrant them in acquitting the man at the bar. He approached the defence of the prisoner with the greatest anxiety of mind, because, if the evidence he intended to adduce should be discredited, the consequences to the prisoner would be truly awful. The giddiness in the head had induced those who had only been acquainted with the girl for four or five days to believe that she was intoxicated; and it was most natural, for the swimming in the head would produce all the appearances of intoxication. She was taken up stairs by a servant of the prisoner, who would describe her appearance at the time, and she would also state, that the young man Edwards came to the door with her. That she had been violated there was not the least doubt, but that the prisoner had committed the offence was by no means clear; and it would be his duty to call the young man, Edwards, who, if he (Mr. Phillips) was rightly informed, would state that he was the guilty party. The young woman

Digitized by Google

had given her evidence very fairly, however, and had doubtless stated only what she considered to be truth. After Mr. Cant had been committed, Edwards had called at the office of Mr. Williams, the solicitor for the prisoner, and made a disclosure which left no doubt of the innocence of the man at the bar. He did not mean for an instant to justify the conduct of Edwards, and it was a pity that he did not make all the amends in his power to the young woman. He was a young unmarried man, and might have done so. It was unlikely the prisoner committed the offence, for, if he had been guilty, it was not probable that he would have conducted himself towards the young woman as she had stated he had done in the morning after she had recovered from her illness. He (Mr. Phillips) believed he had been a foolish man in using even the liberty he himself confessed he had done with the girl; and it would be a warning to others to beware of the consequences of the smallest deviation from a virtuous line of conduct. The liberty he had used in the morning had induced the girl to suppose that he had committed the capital offence upon her during the night. Unfortunately there were many cases in which the innocent suffered for the guilty, but there was no instance in which the innnocent had actually come forward to place himself in the situation of the guilty. It was very unlikely that an individual, entirely innocent of a capital charge like the present, would come forward and put a rope about his neck, in order to free the man who had actually committed the crime. He could not, therefore, see any reason to throw doubt on the testimony of Edwards.

Jane Hollier was then called, and on being sworn stated, that she was at the Windsor Castle public-house, when this transaction was stated to have occurred; and at about eight o'clock she assisted the prosecutrix to bed. Witness thought she was in a state of intoxication at the time. About twelve o'clock witness again went up to the bed-room of the prosecutrix, accompanied by Joseph Edwards. Edwards remained at the door while she went in. She asked him to come up with her, as there was only one candle. The poor girl was lying on the bed, with her clothes on, asleep; witness covered her with blankets. Witness was in the room about five minutes, and the door was closed during that time. When she came out she found Edwards at the door, and she gave him the light, and he went towards his bed-room. She neither saw the prosecutrix nor Edwards again that night.

Cross-examined by Mr. Adolphus: The prosecutrix was not able to speak on her way up stairs. She heard the prosecutrix say to the prisoner, "You took liberties with me, you villain."

Mr. George Williams, the attorney for the prisoner, stated that he knew Joseph Edwards; that person came to his office after Cant was committed, and made a communication to him. The communication was made after the prisoner had been admitted to bail.

Thomas Shipton, pot-boy at the Windsor Castle, stated that the prosecutrix appeared to be intoxicated on the day in question. He saw her before she went up stairs, and she then presented the appearance of a person who had taken liquor.

Mrs. Sarah Goodchild, a washerwoman, stated that she was employed by Mr. Cant. She went up to the bed-room of the prosecutrix about nine o'clock on the night in question, accompanied by the prisoner and his wife.

Digitized by Google

The girl was then lying across the bed, and witness, assisted by Mr. Cant, placed her straight upon the bed. They all left the room together. No light was left in the room.

Joseph Edwards was called and examined by Mr. Phillips: He was a boot-maker, and formerly slept at the house of the prisoner. He now resided at No. 2, Fenton's-buildings. He was in the habit of visiting the prisoner's family occasionally, and he slept there on the 3rd of October, when the girl Bolland was there. She went up stairs, he believed, between nine and ten o'clock. She appeared then to be intoxicated. He saw her the next morning about half-past six o'clock, and went to her brother's house with her. They went down Chancery-lane, along Fleet-street, and over Blackfriars Bridge. He told her that was the way to the Commercial-road, believing that she lived near the Commercial-road Lambeth; but it appeared that it was Commercial-road East, she wished to go to. After the prisoner was committed, he called at the office of Mr. Williams, and made a communication to that gentleman, which was true. He made a similar communication to a friend of the name of Murphy. He went into prosecutor's room about eleven o'clock on the night of the 23rd of October. He had no light with him. She was in bed. Edwards proceeded to state that he had criminal intercourse with the girl, and he felt it his duty, when the prisoner was committed, to inform Mr. Williams of what he had done.

Cross-examined by Mr. Adolphus: Witness was out of employment at the time of this transaction. He knew Mr. Cant, and the first time he slept at the Windsor Castle was on the 3rd of October. He had known Cant for four or five years. He had lodgings at Bartholomew-close on the 3rd of October. When he staid at the Windsor Castle late, he was asked to sleep there. The girl did not appear at all unwilling to submit to the intercourse; but on the contrary, appeared quite willing. He had not gone to bed before. She was not covered with blankets. He heard all that had been stated that day, when the prisoner was examined before the justices, but he did not then mention a word of what he had now said. On the way home on Friday, the prosecutrix said that Mr. Cant had called her a drunkard, and she would fix him for it. She then seemed happy enough.

Murphy corroborated this statement by declaring that the witness had told him of what he had done, after the time at which the communication had been made to Mr. Williams.

A number of witnesses were then called, who gave the prisoner an excellent character, and

Mr. Adolphus proceeded to reply. He rejoiced that Mr. Phillips had not attempted to cast any aspersion upon the character of the prosecutrix, and declared his belief that no attempt could be successfully made to show that she was unworthy of belief. The case depended entirely now upon the testimony of Edwards, and the simple question was, whether the jury would credit his statement in preference to that of the girl Bolland. No attempt was made to deny the advances which Cant had made to the girl on the morning of the 23rd of October; and he asked the jury first, whether having made those advances, it was improbable that he should have followed them up; and secondly, whether they could believe a person who came forward and told such an improbable tale as Edwards. The testi-

Digitized by Google

mony of the prosecutrix was materially sustained in many particulars—that of Edwards received no important confirmation. True, he had gone to two persons to relate his story before he told it here, but at that time the prisoner was at large on bail; and it was to be observed that he might have done so for the express purpose of propping up an improbable story. He had said nothing about it at the police-office, although he had heard the prosecutrix examined there; and the whole relation bore so much of the impress of fiction, that the jury, he was sure, would attach no credit to his declaration.

The learned judge (Mr. Baron Gurney) in summing up contrasted the statements of the prosecutrix and Edwards with great force, and having instructed the jury upon the law affecting the case, informing them that the offence of rape might have been committed upon the prosecutrix while she was in a state of insensibility, although no resistance had been made by her, left the whole case to them for decision.

After about two hours' consideration, a verdict of "Guilty" was returned. The prisoner appeared somewhat astonished at this conclusion of the case, and loudly declared his innocence. Judgment of death was, however, recorded against him, and he was removed from the bar.

The very peculiar circumstances of this case attracted a large share of public attention; and a feeling was commonly entertained that the verdict was founded upon an erroneous view of the facts of the case. The persons who adopted this impression lost no time in conveying their opinion to the Secretary of State for the Home Department; but in spite of their most strenuous exertions in favour of Mr. Cant, the Government declined to give a decision in opposition to that which had been arrived at by the jury, although it was resolved that the sentence of death should be changed for a punishment of transportation for life.

In obedience to this determination Mr. Cant was subsequently sent out of the country.

WILLIAM LEES.

EXECUTED FOR THE MURDER OF HIS WIFE.

THIS melancholy affair was the result of an unfortunate excessive indulgence on the part of the convict in intoxicating liquors. William Lees was a hair-dresser, living at No. 1, Lower Chapman-street, St. George's-in-the-East, where, with his wife, he occupied a small house, the lower part of which he used in the way of his trade. Lees at the time of the dreadful occurrence was thirty-five years of age, and his wife was five years younger. They had been married a period of five years, but they had been known to quarrel frequently.

On Tuesday the 19th of November 1839, between two and three o'clock in the afternoon, Lees was observed to close his shop, and quit his house. He went directly to the residence of some relatives at Islington, apparently in a state of great perturbation; and after a few minutes' conversation, he disclosed to them the appalling fact, that he had murdered his wife on that afternoon, by cutting her throat with a razor. This was found upon investigation to be unhappily true. The body of the wretched woman was

Digitized by Google

discovered extended at full length on the floor of her husband's shop; her throat being so dreadfully cut, as that her head was nearly off; her face being fearfully gashed and wounded, as if in the efforts of the murderer before he could effectually complete his design.

Information was immediately given to the police authorities, and Lees was taken into custody, and conveyed to the station-house in Ratcliffe-highway. He made no effort to deny his guilt, but stated that the horrid deed had been done while he was intoxicated, and in the midst of a quarrel when he was highly excited.

On Friday, the 28th of November, the miserable man was indicted for the murder at the Central Criminal Court. There could be no doubt of his guilt, and a verdict of conviction was returned.

The learned judge, in passing upon him the sentence of death, remarked, that the only supposed palliative circumstance in the case was that of his having been intoxicated at the time of the murder. As a warning to others, he thought it should be understood that this afforded no possible excuse. He then passed the usual judgment on the culprit, and he was removed from the bar. On the 16th of December 1839, the unfortunate man was executed at the Old Bailey, in obedience to his sentence.

THE REV. J. R. STEVENS.

CONVICTED OF SEDITION.

Mr. James Rayner Stevens was one of the most violent political preachers of his day. Originally a member of the body of the Wesleyan Methodists, and a minister of the particular creed which that respectable sect professes, he was excluded their church by reason of his interference with political subjects, in a manner which was deemed unbecoming his character as one of their clergymen. Already highly popular among the people of the district in which he resided, for his uniform opposition to those measures which they deemed harsh and hurtful to their interests, as well as for a mild and amiable disposition which, it appears, amidst all his violence on political subjects, he possessed, they were determined that he should not be without an arena in which he might display his acknowledged but dangerous powers of eloquence. The manufacturing inhabitants of Ashton, Dunkenfield, and Staley Bridge therefore quickly erected for him chapels in each of their respective districts, and here he continued to exercise his functions as a preacher, up to the period of his apprehension. As we have already said, mild, amiable, and charitable in private life, he was a universal favourite amongst his flock; but he unfortunately sought to gratify their tastes, at the same time that he obeyed the dictates of his own feelings, in disseminating doctrines opposed to the maintenance of the existing law, and subversive of the interests of society. The New Poor Law was his favourite topic of abuse; and in this he found a ready echo in the breasts of those who heard him. But from a subject which might be so easily made calculated to excite dislike towards the Ministers by whom the law was introduced, he turned to others of a more general character; and in his discourses in reference to these as well as the first object of his professed hatred, he was guilty of making assertions and employing argu-

Digitized by Google

ments which eventually procured his indictment and imprisonment on a charge of sedition.

In his sermons Mr. Stevens boldly maintained his principles, and sought openly to make them known; he contended, not perhaps for their legality, but that they were such as he had a right to hold and proclaim; and he frequently loudly called upon the authorities, "if they dared," to impeach him of his political offences in this respect. This invitation was given once too often; and at length, on Thursday, the 28th of December 1838, he was apprehended at Ashton by Goddard and Shackell, Bow-street officers, on a warrant which had been issued by two magistrates of Lancashire, and placed in their hands for execution. Mr. Stevens made no effort to resist the law, and he was immediately taken to Manchester to be examined by the magistrates there, escorted by a company of the Queen's Bays. He was lodged in the New Bailey for that night; but on the next day a public investigation took place.

The charge made against him in the warrant was, that he did, on the 13th of November, at the market-place at Leigh—for his speech-making was not confined to his pulpit—with a great number of evil-disposed and disorderly persons, assemble together in a tumultuous manner with banners, flags, and ensigns, and that then and there, by loud shouts, and by the discharge of fire-arms, they terrified the inhabitants of Leigh; and that he did, by violent and inflammatory language, endeavour to excite the people so assembled to violence against the persons and property of divers of her Majesty's liege subjects in Leigh and its vicinity. This charge was sought to be substantiated by various witnesses, who, being inhabitants of Leigh, had heard his speech, and were able to give a general account of its tendency.

Mr. James Johnson, a linendraper, proved that on the day in question a meeting was held at the market-place in Leigh of between two and three thousand persons, at which the prisoner was present and made a speech. He described the general effect of the speech. The prisoner, he said, referred principally to the factories and the existing poor laws. He condemned the practices in the factories, and advised the people to arm themselves, and to get guns and pikes and hang them over their chimney-pieces; they were to have them ready, and then he would come over, and they should appoint him their leader, and he would tell them what they were to do. When the grand attack was made, they were to go to the factories with a dagger in one hand and a torch in the other. He referred to a particular instance of the alleged mal-treatment of a boy at the factory of Mr. Jones, and he talked of tarring and feathering Mr. Jones, and sending him as a present to the commissioners. During the meeting pistols were fired, and the people shouted. Mr. Stevens checked the firing of pistols, saying that there was too much cracking. He said that he had not done "cracking" yet, and that they might crack again by and by. The witness added, that he saw as many as twenty pistols among the crowd; and he also observed a person walking about with a pike, upon which a loaf and a herring were impaled.

William Coward, a constable of Leigh, gave a longer account of the speech than Mr. Johnson. He said that when he first went to the spot, Mr. Stevens was addressing the meeting on the condescension of our Lord in this world. He subsequently quitted this point and went to other

Digitized by Google

subjects. He quoted the passage, "Vengeance is mine; I will repay, saith the Lord;" and he added—"What I mean to say is, that God has perhaps raised you up to fire these buildings (alluding to the houses round about), and perhaps even that venerable church, which our forefathers have erected." He advised the people to take away their families from church, and to save their pennies to buy pikes, and guns, and pistols. At night there was another meeting by torch-light, at which Stevens again spoke in the same strain as that which he had employed in the morning. He spoke about the soldiers and officers, and said that there was nothing to fear in that quarter, for that the officers had admitted his writings into their mess-rooms, and that the soldiers had listened to his preaching, and loved to hear him. He spoke of the hardships which the people underwent, and declared that if he lived at Leigh, he would collect the people in parties of from six to twelve, and go to the poor law guardians and bring out one of their number; then he would take his coat and waistcoat and shirt off, and, having got a barrel of tar, he would cover him with it, and he would give him a pillow of feathers, and feather him, and then he would say, "Go to roost, thou devil!" At this meeting the same system of pistol-firing was kept up which had been maintained in the morning, and there were pikes to be seen, and many of the people carried torches. The witness added, that he had since seen between one and two hundred pikes in the cottages of the poor people, which had doubtless been procured at the instigation of Mr. Stevens's speech. The inhabitants of Leigh and its neighbourhood were much alarmed at the occurrences of the meetings. The witness declared his regret at being compelled to give evidence against a person whom he had known so long as Mr. Stevens, because he had been acquainted with him when he was esteemed a highly respectable member of the body of Wesleyans; but he felt bound to state what he had seen, for he was convinced that since Mr. Stevens had been in the habit of going to Leigh, there was more irritation among the people than he had ever known before. Arms had been collected, and he knew one or two smithies which were wholly employed in making pikes. These were made principally of steel, and they were fourteen or fifteen inches long; at one end was a screw, so that they might be fixed into a staff, and at the other the point was exceedingly sharp. Gentlemen in the neighbourhood had been threatened to have a pike or a ball through their bodies; and the people, on going to various shops to buy bread, had declared that they would "fetch the next at the point of the pike." The witness further stated, that there were banners at the meeting, on one of which was the inscription, "The murders of Peterloo shall never be forgot."

Both witnesses were cross-examined by Mr. Stevens with great tact and ingenuity, and eventually the conclusion of the proceedings was postponed until the following Thursday, Mr. Stevens in the meanwhile being admitted to bail.

The termination of this examination was awaited with great interest by a large number of Mr. Stevens's friends, and upon his liberation he was received with the greatest enthusiasm. On the following Sunday he preached as usual at Staley-bridge, without making any allusion to what had passed. In the evening he was proceeding to his chapel at Ashton, where he was informed that the congregation was so great that fears were entertained lest the building should fall; and eventually the service was

Digitized by Google

read and the sermon delivered in the market-place by moonlight, no fewer than ten thousand persons being collected to witness this extraordinary scene.

On Monday evening Mr. Stevens attended a tea-party at Hyde, where one thousand persons were assembled. He took a review of the past year, and dwelt on the prospects of the future. He said that the factory system was doomed; and that the poor-law could not much longer continue to exist. He declared that it was so much opposed in Ashton, that a board of guardians could not be formed; and pointing to a flag which was suspended against the wall, he said that rather than it should be established, they should marshal themselves under it, and following the standard-bearer they would shout its motto,

"For children and wife
We will war to the knife:
Down with the bastiles,
And Stevens for ever!"

On Tuesday evening a meeting was held in Manchester at which Mr. Feargus O'Connor and others addressed the people, urging them to attend the examination of Mr. Stevens in thousands and tens of thousands, but peaceably and without banners, in order to show their gratitude to their benefactor.

On Thursday at least four thousand persons were assembled outside the New Bailey, but their conduct was orderly, although they appeared to take great interest in the fate of their favourite. Mr. Stevens was in attendance precisely at the hour appointed, and he was loudly cheered, but there was no appearance of riot. There was one additional witness now examined, whose evidence was a mere repetition of that of Johnson and Coward, and on this charge Mr. Stevens was ordered to stand committed to take his trial at the next Liverpool Assizes. He was informed that there were other charges which might be brought against him with reference to the organisation of illegal societies; and it was also intimated to him, that he would be liberated upon his putting in bail to the amount of 2000*l.* for his appearance when called upon. The crowd immediately dispersed, and in the evening Mr. Stevens was discharged from custody.

On Thursday the 15th of August 1839, Mr. Stevens was put upon his trial. The indictment alleged the same offence as that which had been stated in the warrant, and it was fully supported by the same evidence which we have already detailed. At the conclusion of the trial, a verdict of "Guilty" was returned, and Mr. Stevens was sentenced to eighteen months imprisonment in Knutsford House of Correction, and was ordered on his discharge to give bail, himself in 500*l.*, and two sureties in 250*l.* each, that he should keep the peace for five years.

Mr. Stevens was subsequently removed to Chester Castle, from whence, on the 1st of February 1841, he was discharged. This liberation took place eight days earlier than the term of his sentence; but, in consequence of the death of his father, the Rev. John Stevens, Lord Normanby kindly consented to the remission of the few days, to enable him to attend the last sad duties to the deceased.

Digitized by Google

THE BIRMINGHAM RIOTS—1839.

These disgraceful riots, involving the destruction of property to a very great extent, occurred on the evening of Monday the 15th of July 1839, and were the result of a long course of agitation created by the exertions of a body of men called Chartists, to obtain the adoption by Parliament of certain popular reforms of the constitution of the country, by which they conceived that the poorer classes of Englishmen might procure for themselves a better system of representation, and, therefore, a larger share of the government of the country than they had hitherto possessed. Throughout the history of every civilized state it is to be observed, that there are always parties whose desires of reform or alteration of the existing law more than keep pace with the changes which the legislature deems it fit to make. The violence of the views entertained by these persons, usually tends to render the immediate, or even the ultimate granting of their wishes, incompatible with the maintenance of those rules by which society is governed, so that whatever may be the eventual estimation in which, in the process of time, or by reason of the occurrence of events, their views may be held, a necessity exists for their being presently discouraged and checked. Of a class such as we have alluded to, are the Chartists. Denominated from the charter, upon the procurement of which they base their faith, their principles will be best comprehended by a recital of the articles of their creed; and as these have been described by themselves in a petition which they have presented to parliament, we shall have recourse to their own statement of their views, in preference to repeating in general terms that which is, in the ordinary acceptation, the ground-work upon which they proceed.

The petition to which we refer was presented by Mr. Attwood to the House of Commons on the evening of Friday the 14th of June, and was the result of numerous meetings held in Birmingham and elsewhere, at which the principles of the charter were advocated. It was denominated the "National Petition," and bore the signatures of a vast number of individuals appended to it; and it was so bulky in its form as to require to be conveyed into the house upon a platform constructed for the purpose.

It was in the following terms:—

"Unto the honourable the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, the petition of the undersigned, their suffering countrymen,

"Humbly sheweth,—That we, your petitioners, dwell in a land whose merchants are noted for enterprise, whose manufacturers are very skillful, and whose workmen are proverbial for their industry. The land itself is goodly, the soil rich, and the temperature wholesome; it is abundantly furnished with the materials of commerce and trade; it has numerous and convenient harbours; in facility of internal communication it exceeds all others.

"For three-and-twenty years we have enjoyed a profound peace. Yet, with all these elements of national prosperity, and with every disposition and capacity to take advantage of them, we find ourselves overwhelmed with public and private suffering.

"We are bowed down under a load of taxes which, notwithstanding, fall greatly short of the wants of our rulers; our traders are trembling on

Digitized by Google

the verge of bankruptcy; our workmen are starving; capital brings no profit, and labour no remuneration; the home of the artificer is desolate, and the warehouse of the pawnbroker is full; the workhouse is crowded, and the manufactory is deserted. We have looked on every side, we have searched diligently, in order to find the causes of a distress so sore and so long continued. We can discover none in nature or in Providence.

"Heaven has dealt graciously by the people; but the foolishness of our rulers has made the goodness of God of none effect. The energies of a mighty kingdom have been wasted in building up the power of selfish and ignorant men, and its resources squandered for their aggrandisement. The good of a party has been advanced to the sacrifice of the good of the nation; the few have governed for the interest of the few; while the interest of the many has been neglected, or insolently and tyrannously trampled upon.

"It was the fond expectation of the people that a remedy for the greater part, if not for the whole, of their grievances would be found in the Reform Act of 1832. They were taught to regard that Act as a wise means to a worthy end; as the machinery of an improved legislation, where the will of the masses would be at length potential. They have been bitterly and basely deceived. The fruit which looked so fair to the eye has turned to dust and ashes when gathered. The Reform Act has effected a transfer of power from one domineering faction to another, and left the people as helpless as before. Our slavery has been exchanged for an apprenticeship to liberty, which has aggravated the painful feeling of our social degradation, by adding to it the sickening of still deferred hope.

"We come before your honourable house to tell you, with all humility, that this state of things must not be permitted to continue; that it cannot long continue without very seriously endangering the stability of the throne and the peace of the kingdom; and that if, by God's help and all lawful and constitutional appliances, an end can be put to it, we are fully resolved that it shall speedily come to an end.

"We tell your honourable House, that the capital of the master must no longer be deprived of its due profit; that the labour of the workman must no longer be deprived of its due reward; that the laws which make food dear, and those which, by making money scarce, make labour cheap, must be abolished; that taxation must be made to fall on property, not on industry; that the good of the many, as it is the only legitimate end, so must it be the sole study of the Government.

"As a preliminary essential to these and other requisite changes, as means by which alone the interests of the people can be effectually vindicated and secured, we demand that those interests be confided to the keeping of the people.

"When the state calls for defenders, when it calls for money, no consideration of poverty or ignorance can be pleaded in refusal or delay of the call.

"Required as we are, universally, to support and to obey the laws, nature and reason entitle us to demand, that in making the laws, the universal voice shall be implicitly listened to.

"We perform the duties of freemen; we must have the privileges of freedom.

"We demand Universal Suffrage.

"The suffrage, to be exempt from the corruption of the wealthy and the violence of the powerful, must be secret.

Digitized by Google

"The assertion of our right necessarily involves the power of its uncontrolled exercise.

"We ask for the reality of a good, not for its semblance.

"We demand the Ballot.

"The connexion between the representatives and the people, to be beneficial, must be intimate. The legislative and constituent powers for correction and for instruction ought to be brought into frequent contact. Errors, which are comparatively light when susceptible of a speedy popular remedy, may produce the most disastrous effects when permitted to grow inveterate through years of compulsory endurance. To public safety, as well as public confidence, frequent elections are essential.

"We demand Annual Parliaments.

"With power to choose, and freedom in choosing, the range of our choice must be unrestricted. We are compelled, by the existing laws, to take for our representatives, men who are incapable of appreciating our difficulties, or who have little sympathy with them; merchants who have retired from trade, and no longer feel its harassings; proprietors of land, who are alike ignorant of its evils and their cure; lawyers, by whom the honours of the senate are sought after only as a means of obtaining notice in the courts. The labours of a representative, who is sedulous in the discharge of his duty, are numerous and burdensome. It is neither just, nor reasonable, nor safe, that they should continue to be gratuitously rendered.

"We demand that, in the future election of members of your honourable house, the approbation of the constituency shall be the sole qualification; and that, to every representative so chosen, shall be assigned out of the public taxes a fair and adequate remuneration for the time which he is called upon to devote to the public service.

"Finally, we would most earnestly impress on your honourable house, that this petition has not been dictated by any idle love of change; that it springs out of no inconsiderate attachment to fanciful theories; but that it is the result of much and long deliberation, and of convictions, which the events of each succeeding year tend more and more to strengthen. The management of this mighty kingdom has hitherto been a subject for contending factions to try their selfish experiments upon. We have felt the consequences in our sorrowful experience—short glimmerings of uncertain enjoyment swallowed up by long and dark seasons of suffering. If the self-government of the people should not remove their distresses, it will at least remove their repinings.

"Universal suffrage will, and it alone can, bring true and lasting peace to the nation; we firmly believe that it will also bring prosperity.

"May it, therefore, please your honourable house to take this our petition into your most serious consideration, and to use your utmost endeavours, by all constitutional means, to have a law passed, granting to every male, of lawful age, sane mind, and unconvicted of crime, the right of voting for members of parliament; and directing all future elections of members of parliament to be in the way of secret ballot; and ordaining the duration of parliaments so chosen shall in no case exceed one year; and abolishing all property qualifications in the members; and providing for their due remuneration while in attendance on their parliamentary duties.

"And your petitioners," &c.

Digitized by Google

During a considerable period antecedent to the preparation and presentation of this petition, the agitation which prevailed at Birmingham and throughout the neighbouring manufacturing districts was of a highly dangerous and mischievous character. Excited by the inflammatory harangues of their leaders, the people had not been averse to follow the advice which was given them, and to provide arms, ready to meet and repel any attack which might be made upon them, or to secure and maintain those privileges to which they deemed themselves to be entitled. Of the Chartists there were two classes; one, the more violent, whose hopes or designs were based upon "physical force," in preference to the quiet consideration and discussion of the question at issue; the other, who viewed "moral force" as presenting the more favourable means of procuring a determination of the existing evils. Pikes and other arms, as may be supposed, were the weapons of the former, while arguments of a more peaceable character, aided by the employment of such means as abstinence from labour, and the maintaining of a period "sacred" to the Charter, were the measures by which the latter sought to obtain their end.

The cause of violence had been too strenuously urged upon the minds of the people of Birmingham, to permit of their viewing with much satisfaction any arguments of a very peaceable character. The general violence of their tone produced apprehensions among the authorities that mischief might be anticipated; and unhappily their fears were realised in a manner as dangerous as it was destructive.

The undisguised and inflammatory language used by many of the Chartist leaders, rendered it necessary that the magistrates should take steps to prevent the increase of the popular irritation, by removing from the power of doing mischief some of those who were its chief exciters. A body of persons had assembled in London, who were styled "The Convention," and who were delegates from various parts of the country, charged to exert themselves to procure the adoption of their favourite Charter by the legislature; and when the sittings of this mock parliament—for it assumed the character and method of business of the House of Commons—ceased, its members dispersed themselves through the country, haranguing their "constituents" upon the subject of their labours, and engaging them to new exertions to secure the object which they all had in view.

Some arrests were made of persons, the violence of whose language had marked them as objects of public notice, and this served for a time to check the violence of the proceedings of the supporters of the principles of the Charter; but during the ensuing month it appeared as if the flame of sedition was smouldering only to burst forth with renewed vigour. In July new excitement was created. Meetings were frequently held, both at the Bull-ring and at Holloway-head, by the Chartists; and on the 4th of that month, a serious disturbance occurred at the former place.

For the better security of the town, a body of about ninety of the metropolitan police force had been despatched to Birmingham, under the orders of Superintendant May. On the day in question an unusually large meeting was held at the spot pointed out, when banners and flags, bearing mottoes and other insignia, were displayed. Speeches were made, in which the most inflammatory language was employed; but, in the midst of the meeting, the London police, who had marched direct from the railway-train to the Bull-ring, presented themselves, and required the dis-

Digitized by Google

persion of the crowd. The order was peremptorily given, but no effort was made to obey it, and force was resorted to, to clear the spot of its present occupants. The mob resisted with success, for although the police were a well organised body, and most determined in their efforts, the number of Chartists to whom they were opposed, and their evident preparation to meet any attack which might be made, led to their temporary defeat. For about ten minutes the conflict was dreadful, and individuals on both sides sustained severe and dangerous injuries. The police were driven back into Moor-street, and, for a time, an attack on the prison by the mob was apprehended. Fortunately, however, the 4th Royal Irish Dragoons, commanded by Colonel Chatterton, and accompanied by Mr. Scholefield, the mayor, arrived in time to afford assistance to the civil authorities, and to prevent the riot proceeding to any more dangerous lengths. The dragoons were soon aided by the Rifle Brigade, and their formidable appearance quickly inspired alarm where confidence the moment before had been displayed. The mob quickly took to flight, but to proceed only to Holloway-head, where a new meeting was held. Here Dr. Taylor and others addressed them, exhorting them to abstain from violence; but, in spite of the exertions of these persons, they committed some acts of serious mischief. During this riot no fewer than seventeen persons were taken into custody, and many of these were proved to have been implicated in the disgraceful proceedings of the evening.

The events of this day were not calculated to produce tranquillity, and during the remainder of the week Birmingham was in a state of high excitement. On the following Monday a crowd again assembled in the Bull-ring, rather from curiosity, however, than any other cause; but upon the police attempting to disperse them, they obstinately and pertinaciously refused to retire. The resistance to authority appeared to be mainly attributable to their dislike for the police, and the members of that body adopted a course of violence in order to procure obedience to their directions, that the mob should move on, not likely to increase their popularity. Blows were resorted to, and, in some instances, considerable injuries were inflicted upon individuals, and threats of violence in return were not unfrequently heard; but, by dint of perseverance, the officers succeeded in the course of the evening in pushing their way as far as John-street on one hand, and Holloway-head on the other, and thus procuring the observance of peace; but in the course of their exertions much violence, though perhaps it was not unnecessary, appeared to be done to the feelings as well as the persons of the people.

On Tuesday the town resumed its wonted appearance, and but for the presence of the London police, and the business-like manner of the magistrates, who were observed to be actively engaged in the execution of their duty, there would have been observed but slight evidence of the late commotions; and the peace of the town being on Wednesday and Thursday (as it was supposed) firmly re-established, fifty of the police on the latter day returned to London.

On Thursday evening an address was posted on the walls of the town from Mr. T. Attwood, M.P., which enjoined the maintenance of "Peace, law, and order," and in which the honourable gentleman announced, among other things, that he had fixed Friday the 12th of July instant, for bringing the national petition under the notice of Parliament.

Digitized by Google

To the consideration of this question all eyes seemed now to be turned; but on the appointed night, the motion of Mr. Attwood that the petition should be considered by a committee of the whole house was negatived, by a majority of two hundred and thirty-five to forty-six.

The following Monday witnessed the renewal of the excitement at Birmingham, and the enactment of the most disgraceful scenes of riot and plunder in that town. In the morning a meeting was held at Holloway-head, but it proved a failure; and a second meeting was called for the evening. This was most numerously attended, but at its breaking up, a very large number of persons proceeded to the Bull-ring, while others branched off on the road towards Warwick, by which it was expected that Messrs. Lovett and Collins, who had been sent to Warwick jail, in default of bail, on a charge of publishing a seditious libel, on the 6th of July, in the shape of resolutions condemnatory of the conduct of the police on the 4th of that month, and who were expected to be set at liberty on that night, would arrive at Birmingham. Between seven and eight o'clock the mob in the Bull-ring increased very considerably, and the police, limited in number as they were, received orders to procure its dispersion. Having met with some resistance, they were compelled to resort to violence, and they wounded three men somewhat severely; but now in order to avoid all further cause for irritation, they were recalled into the yard of the police-office, out of the sight of the mob, in the hope that the people would ere long separate. This most desirable effect, however, was not produced, but the crowd soon exhibited symptoms of tumult, and commenced breaking the windows of the police-office, and throwing stones into the yard where the police were drawn up.

At half-past eight the riot may be said to have actually commenced. The mob at that hour began an attack upon all the lamps in High-street, and Spiceall-street, and this was immediately followed by a furious assault upon the windows of the houses there, and then upon the houses themselves. An entrance was attempted to be forced into many of them; but the infuriated crowd finding the weapons which they possessed (clubs and sticks) insufficient to enable them to effect this object, turned to procure others of a more formidable character. These were speedily afforded by the palisades surrounding the Nelson Monument, in the midst of the Bull-ring, which were speedily wrenched from their mortices, and thus armed they proceeded to the work of destruction. In an incredibly short space of time they had forced their way into the house of Messrs. Bourne, tea-dealers, whose premises were situated at the corner of the Bull-ring, and Moor-street, and extended to a frontage of twenty feet in the former, and sixty feet in the latter. The shutters and doors having yielded to their attack, they were immediately torn down,—the warehouses were entered and pillaged, and their contents thrown into the street. At five minutes past nine, so rapidly did they complete their dreadful designs, they turned to the premises of Mr. Leggett, an upholsterer, which in like manner they sacked, carrying from it, among other things, large rolls of bed-ticking, which was speedily spread, like a carpet, over the whole area of the space on which they were assembled. At a quarter-past nine, a shout was raised that they should extinguish the lamps, and speedily the mob ascended every lamp-post, and turned off the gas, and darkness added her powers to increase the horrors of the night.

Digitized by Google

Digitized by Google

Birmingham Riots.

P. 505.

London, Published by Thomas Tegg, Cheapside.

Digitized by Google

At this period the inhabitants of the vicinity were engaged in removing their families, and such of their property as they could conveniently carry; for the fury of the mob would evidently call for still further mischief, before it was satiated. The houses of Mr. Murcott, a cheesemonger; Mr. Dakin, a tea-dealer; Mr. Horton, a silversmith; and Mr. Parkes, a tobacconist, were in succession assailed, and the windows of the shop of the last-named individual were actually battered in with silver candlesticks, removed from the shelves of Mr. Horton. The bed-ticking which had been spread over the Bull-ring, was now collected in a heap, and, as if to afford light to the diabolical marauders, was set on fire.

Simultaneously with these proceedings another party of rioters had been engaged in like acts of determined violence. By these the houses of Mr. Allen, a biscuit-baker, Mr. Perkins, brushmaker, who was the headborough of Birmingham; Mr. Arnold, pork-butcher; Mr. Pounteney, grocer; Mr. Heath, cheesemonger; Mr. Walton, butcher; Mr. Fincher, leather-seller; Mr. Bliss, (the Spread Eagle,) a person who had never rendered himself obnoxious; Mrs. Martyns, cutler; Mr. Banks, druggist; and Mr. Gooden, (the Nelson Inn,) were successively attacked, and more or less injured and pillaged. The mob were about to visit the house of Mr. Wainwright, liquor-merchant, with the same species of violence, when, however, their respect for his articles of traffic seemed to overcome their determination, and a cry of "No! no!" was instantly raised, and obeyed.

The shout of "Fire!" was now heard, and scarcely had the idea been expressed when numbers of the rioters were seen carrying heaps of the burning materials from the streets into the houses of Messrs. Leggett and Bourne. Within a quarter of an hour the flames burst forth with awful violence amidst the hellish yells of the rabble. The police nor the soldiery had appeared, and the astonishment of the peaceful witnesses to these dreadful scenes at the apparent supineness of the magistracy, may be easily appreciated. The alarm of fire was speedily conveyed through the town, and an engine now drove into the Bull-ring, but the threats of violence of the crowd compelled the firemen to lash their horses and escape from the dreadful scene of confusion into which they had intruded themselves. New efforts were then made by the mob to carry the fire to other houses, but by good fortune they were unavailing, and before they could secure their object the whole body of metropolitan police in the town, under the orders of Mr. Superintendant May, rushed upon them armed with sabres. This was at a quarter before ten, and thus for nearly an hour and a half had the town been left to the unchecked violence of a furious mob. The abject fear with which they instantly fled upon the appearance now of resistance to their further mischievous designs, showed the ease with which their previous proceedings might have been stayed. They were pursued by the police only to a short distance, and then this body returned to the late scene of action, in order to procure the extinguishment of the flames which were still reigning with unabated violence in the houses which had been the objects of the fury of the mob. The appearance of bodies of dragoons marching towards the Bull-ring through Moor-street and High-street served to complete the rout; and the immediate advance of three hundred of the Rifle Brigade, at once dispelled all apprehension of future danger.

While a portion of the troops remained in the Bull-ring to aid the firemen who had now again arrived with several engines, in preventing the fur-

Digitized by Google

ther spread of the conflagration, the rest proceeded to scour the neighbouring streets, and to clear them of the crowds of people by which they were still occupied. This they did in excellent style, and by a few minutes after ten o'clock there were few of the people to be seen in the vicinity of the Bull-ring. The flames at this time were bursting from every part of the burning houses, presenting a spectacle of awful grandeur. At about eleven o'clock the roof of Mr. Bourne's house fell in, and by midnight that of Messrs. Leggett had shared the same fate. The engines continued playing upon the ruins until a late hour, so as to avoid the possibility of a renewal of the danger.

During the night the police made many prisoners who were charged with having been parties to the riot.

Throughout the whole of Tuesday the Bull-ring presented an appearance of desolation which was much increased by the stillness which prevailed. The whole town was pervaded by a similar gloom; and few shops, except those in the outskirts, were open. As night approached, the streets began to exhibit their usual feverish aspect; and, according to an announcement which had been made, between seven and eight o'clock a meeting was held at Holloway-head, which was attended by considerable numbers. Loud complaints were to be heard escaping from many of the persons present as to the treatment which they had experienced on the previous night from the police, and threats of vengeance were held out. Others pointed out the means of revenge by suggesting the seizure of the cannon in the barrack-yard; but at about eight o'clock the whole party was suddenly put to flight by the appearance of a troop of dragoons and yeomanry advancing towards the spot where the meeting was held. At first a few hisses and groans escaped them, but presently the advance of the soldiers induced them to give way, and then they were finally entirely put to rout by the riflemen, who scoured all the neighbouring streets, many of the more refractory of the malcontents receiving some slight wounds in the violence of their opposition to the authority of the law. The soldiers soon afterwards returned to the town, and charge of the streets was then given up to the special constables, who had been sworn in in great numbers during the day, and the police. Parties of the military, however, were posted at Holloway-head and the Bull-ring, at each of which places a cannon was placed with a view to awe the people, and to show the determination of the authorities that any new act of aggression should be received with becoming firmness.

On Wednesday, the town seemed to be again restored to quietude, but the military and constabulary were still on the alert.

During the week many persons were committed to Warwick jail to stand their trial for having been parties to the riots, and for having committed depredations in the houses which they had ransacked: but we shall hereafter refer to the particular cases of these individuals.

With regard to the precise and immediate cause of these distressing riots, many suggestions were thrown out, without, however, doing more than showing them to have arisen from a general and undefinable feeling of discontent, increased perhaps by the supposed harshness of the conduct of the police-force. The correspondent of a morning newspaper, who appears to have made assiduous inquiries upon the spot upon the subject, thus sensibly describes the result of the information which he was able to obtain. He says,—"The more opportunities that I have of conversation with different

Digitized by Google

parties, and different classes of persons in this town, the more thoroughly am I convinced that the social condition of the people is disorganised, and that the worst feelings, consistent with the stability and safety of property, prevail. There is a bitter and almost universal feeling of hatred amongst the operative classes against employers, or those who are apparently raised above the pressing wants and necessities of life. This is the feeling which has been conveyed to me, not only by bankers and the richest merchants with whom I have conversed, but it is confirmed to the letter even by employers whose means are so humble that they toil as hard as the very workmen to whom they pay wages. One of the latter class of employers said to me, that what the operatives want is, 'to make every one as poor as themselves,' to drag all down to their own level, in order that all may feel how great are the evils of poverty. The general spread of such a feeling was ascribed by this person to the speeches of the Chartist leaders, to the doctrines of political economy (if they can be called so) which they now preach, and to the incitements which they have held out for the working classes to arm themselves. In this respect it is plain that great pains have been taken to accustom the minds of the populace to consider the best means of fighting with the regular soldiers, and the most suitable means of destroying them.

"Having stated what is the description given to me of the feeling and condition of the operatives, I next endeavoured to ascertain what were the notions of the operatives themselves; and I may say that to my questions, I received but one answer, namely—that it was a shame to bring the London police amongst them; that the police had acted very badly; that they attacked them without telling them to disperse; that many innocent men, some bringing home their work to their employers, were struck down by the police; and that in short the town would never be quiet again until the London police were sent away."

With reference to the number of persons engaged in the riot, the same writer declared his impression, that no more than two hundred individuals were actually employed in those scenes of disorder which we have described. Hundreds looked on without attempting to check the progress of the events which they were witnessing, exhibiting perhaps feelings of satisfaction rather than regret, at seeing, as they supposed, the wealthy shopkeepers reduced to the level of poverty of themselves; but the persons who were actively engaged did not exceed the number mentioned. The checking of the riot, according to the same authority, would have been of easy accomplishment, for the greater proportion of the mischief was commenced by parties of two and three, who were not joined by any others until it was perceived that the attack was successful. Had the inhabitants joined to repel these assaults upon their property, much of the mischief might have been prevented, and still more so if the military and police forces had been brought into operation at the commencement of the proceedings.

The conduct of the magistrates almost immediately became the object of attack and animadversion; and memorials were presented to the government that it might be made the subject of investigation. Mr. Dundas, a barrister, was subsequently appointed to undertake the task of inquiring into the grounds of complaint made, and we subjoin extracts of the report which he presented upon the subject to the Marquis of Normanby, Secretary of State for the Home Department. Having stated the nature of the

Digitized by Google

memorial presented to the government, in which it was alleged, that "on the evening of the 15th of July, from half-past eight to a quarter before ten o'clock, the mayor and magistrates failed in their duty, by leaving the property and lives of the citizens unprotected to the violence of an organised mob, although full and authenticated information had been early given to the mayor and magistrates of the borough of the intentions and plans of the rioters," he proceeded to detail the mode in which he had carried on the investigation, and then he said,—

"I have now the honour to transmit to your lordship the short-hand writer's notes of the evidence, together with my opinion on the points submitted to me.

"It appeared on the inquiry, that for several weeks before the day in question, that is to say, before Monday, the 15th of July last, Chartist meetings, at times consisting of many hundred persons, were frequently held in Birmingham and the immediate neighbourhood. These meetings, although calculated to alarm the peaceable inhabitants of the place, for the most part passed off quietly; but some of them, and especially a meeting held on the 4th of July, it was necessary to put down by the military in aid of the civil power. To preserve the peace thus disturbed, the Birmingham police was altogether inadequate, a few constables and street-keepers being the whole force of the borough; but between the 10th of May and the day in question, upwards of two thousand special constables were sworn in, ward and section leaders appointed, and instructions furnished them from the public-office for organising and effectually employing the men in time of need. For additional security, two detachments of the metropolitan police were sent from London on the 4th and 5th of July; and though forty had returned in a few days after, the rest (about fifty) remained at Birmingham, and on the day in question were stationed at the public-office under Mr. May, an active superintendant of the force.

"The usual course of the public-office was for some of the magistrates to give daily attendance there from about eleven in the forenoon to three or four in the afternoon, for the despatch of business; but it appeared that for some time before the day in question not only were they there in the day-time, but that some of them staid to a late hour at night.

"The officer in command at the barracks (three-quarters of a mile off) used to call twice a-day at the office, to communicate with the mayor on the state of the peace of the town; nor should it be omitted, that an excellent understanding was kept up between the civil and military authorities, and that on every occasion when the soldiers had been called upon to act in aid of the civil power, the assistance required was both promptly and efficiently given.

"Some of the magistrates resided in the town; Dr. Booth's house, for instance, was about six minutes' walk from the public-office; the mayor and some others lived in the suburbs; while the houses of a few were still further off; George Redford, the prison-keeper, lived at the public-office —a well-known, confidential, and intelligent man of business.

"Such was, in general, the state of things at Birmingham, when, in the forenoon of the day in question, a bellman was heard in several of the streets, crying a Chartist meeting to be held that day at Holloway-head at one, or, as it was differently reported, at half-past twelve and half-past six

Digitized by Google

o'clock. Holloway-head and the Bull-ring, about a mile from each other, were the usual places of holding such meetings.

"It appeared, also, that at eleven o'clock of the forenoon the following letter was sent to Captain Moorsom, a special constable of the borough, who had acted as the medium of communication between the ward leaders and the magistrates, viz.—

"Public-office, Monday July 15, 1839, 11 a.m.

"'Dear Sir,—The magistrates here assembled are desirous, with your permission, to avail themselves of the advantage of your aid and means in watching and ascertaining the character and proceedings of the meeting, should one take place, at Holloway-head. Some magistrates will be in attendance at this office, and quite prepared to act according to circumstances, and to the nature of the information you may transmit to them. This is a precautionary measure which the magistrates feel it incumbent upon them to adopt, although they venture to anticipate a peaceful issue. They would not have felt themselves warranted in taking this liberty, but from the encouragement they have derived from your uniformly courteous, able, and kind co-operation with them during the existing troubles.

"'I remain, dear Sir, yours faithfully,

"'Captain Moorsom, R.N.'" "'J. K. Booth.

"On receiving the letter at noon, Captain Moorsom arranged with the Edgbaston ward leader that proper men should be appointed to convey information to the public-office as to the character of the meeting, while he himself watched its proceedings; but nothing occurred to cause any apprehension. By two o'clock about three hundred persons had assembled at Holloway-head; in an hour or so afterwards the numbers had diminished, and seemed to Captain Moorsom to be quite insignificant.

"About this time Colonel Chatterton, of the dragoons, called as usual at the public-office, and was told by the mayor that there was no occasion to keep the soldiers at the barracks in readiness, since, from all he heard, the town was quiet. Hence it appeared that the mayor set no value on the information of Mr. Coburn, who had told him in an earlier part of the day that from what had been said in his hearing the day before, at a meeting at Holloway-head, disturbance was to be expected at night.

"At five o'clock the mayor left the public-office to go home to his own house, about a mile-and-a-half off, the other magistrates having left before him; and before going away he gave express directions to George Redfern, the prison-keeper, that if magistrates were wanted he was to send or go for him or Dr. Booth.

"It further appeared that later in the evening, about seven o'clock, a great number of persons (probably about one thousand) was assembled at Holloway-head, and these, instead of dispersing when they left the ground, proceeded in a body towards the Warwick-road, to meet (as was supposed) two Chartists who had been bailed out of prison that day, and were expected to return to Birmingham that night. From some cause or other, never satisfactorily accounted for, a mob of men and boys came back from the Warwick-road, and suddenly arrived by hundreds in the Bull-ring, about half-past eight o'clock; there they violently set fire to several valuable premises, burned and destroyed a great deal of furniture and other property, broke many of the windows of the public-office (a little way

Digitized by Google

off), and having done the work of destruction uninterruptedly for not less than an hour, at last they gave way and retired, either seeing the police had turned out against them, or expecting the speedy arrival of the military.

"It is here to be observed that Captain Moorsom had been watching the proceedings of the people at Holloway-head (in the evening), till he saw them go away; then, thinking they might have adjourned to the Bull-ring, while in fact they had passed it on their left, he went to the Bull-ring, and finding nothing that to his mind indicated disturbance, about eight o'clock he proceeded to the public-office to report what he had witnessed, and ascertain from the magistrates what were their arrangements for the night; but though he asked for a magistrate he did not go or send for one; and having told the superintendant of police, whom he saw there, that everything was quiet, he returned home about a quarter before nine, after expressing his opinion to the Edgbaston ward leader that there was no fear of disturbance. George Redfern, the prison-keeper, staid at the public-office till some time after eight, when a constable came in and asked for the magistrates, adding that the town was in an excited state. On hearing this he lost not a moment, but set off to Dr. Booth's, and thence to the mayor's. He found both of them at home; and the mayor having joined Dr. Booth at his house, they proceeded to the barracks as quick as they could, called out the military, and accompanied them on horseback to the Bull-ring. Whilst George Redfern was thus away for forty-two minutes, and after he returned to the public-office, the superintendant of police was repeatedly called upon to act against the rioters, but he steadily refused, in consequence of orders that without the military or a magistrate's sanction the police were not to go out, nor, in fact, did the police begin to act at all till Mr. Walker (a magistrate) came to the public-office, and with him they went against the mob soon after half-past nine. It was the opinion of some, that had the police gone out and acted earlier the mob might have been dispersed, or at least that the property thus destroyed by the rioters might have been defended; but it appeared a very doubtful question.

"Upon such a state of facts, though the evidence will supply a great deal more in relation to the issue, the mayor and magistrates are charged with neglect of duty.

"Now, the case must be looked at as it presented itself to the mayor and magistrates at the time, and not as if they could have foreseen the extent of calamity, which their want of preparation, their absence from the public-office, or any other circumstances may be thought to have occasioned.

"Believing then that they acted with perfect good faith throughout, and considering besides that they took reasonable measures to watch the proceedings of the Chartists at Holloway-head, that they relied on information which led them to apprehend no disturbance or outbreak, that on leaving the public-office in the afternoon at five, the mayor gave directions to George Redfern, the prison-keeper, to send or go for him or Dr. Booth, if magistrates should be wanted; and taking into account that the mayor and Dr. Booth were each of them at home when George Redfern came for them, I am of opinion that under all the circumstances, the mayor and magistrates were not guilty of neglecting their duty on the occasion referred to in the memorial.

Digitized by Google

"The general orders to the police, which prevented them from acting when first they were called upon to do so, I think ought not to have been given; but it is reasonable to believe that the mayor and magistrates laid on the restraint purely out of consideration to the men themselves.

"I have, &c.

"DAVID DUNDAS."

This was a report which entirely exonerated the magistrates from all blame; and leaving this part of the case, we shall now proceed to the trial of the persons implicated in these transactions, which took place at the Warwick assizes, in the month of August, in the same year.

On Thursday the 1st of August, a lad named Perry, was first tried for breaking into the house of Mr. Horton, the silversmith, and stealing a silver sugar-basin; but he was acquitted. In a second indictment, the charge made was that he had received the basin well knowing it to have been stolen. The evidence went to show that the basin had been found in his possession, and that he refused to give it up; but it appeared that he had picked it up, and the jury acquitted him, discrediting the allegation of his felonious intention.

On the next day John Neale, William Shears, John Storey, William Edes, and Frederick Mason, were tried upon an indictment charging them with being parties to the riot of the 4th of July, and a verdict of "Guilty" returned.

On Saturday the 3rd of August, Jeremiah Howell, aged thirty-four; Francis Roberts, twenty-six; John Jones, twenty-one; Thomas Aston, fifteen; and Henry Wilkes, twenty-one; were put upon their trial. The indictment charged them with having at Birmingham, on the 15th of July 1839, with other persons to the number of two thousand, unlawfully and feloniously assembled, to the disturbance of the public peace, and with having feloniously pulled down and demolished the house of James and Henry Bourne. The evidence showed the implication of all except Wilkes, and with that exception the prisoners were found guilty.

On the same day John Collins, whose name has been already alluded to, was called in and arraigned upon an indictment preferred against him. The indictment recited that there had been an unlawful assembly called together in the town of Birmingham on the 4th of July, and that George Masters and John Hugh Sweeting, being officers of the London Metropolitan Police, and being duly sworn in as special constables, did, by order of the magistrates, remove such unlawful assembly; and then it alleged that John Collins, being a wicked, seditious, and disaffected person, and endeavouring to bring into hatred and contempt the police force, and to excite tumults amongst the Queen's subjects, did cause to be written and published a certain false, scandalous, and malicious libel on the police and the administration, which were the resolutions of the National Convention. These resolutions were then set forth.

The libel was proved to have been taken to the printer by the prisoner, and to have been printed and posted through the town by his directions. It was in the following terms:—

"*Resolutions unanimously agreed to by the General Convention.*

"Resolved—1. That this Convention is of opinion that a wanton, flagrant, and unjust outrage has been made upon the people of Birmingham

Digitized by Google

by a bloodthirsty and unconstitutional force from London, acting under the authority of men who, when out of office, sanctioned and took part in the meetings of the people, and now, when they share in the public plunder, seek to keep the people in social slavery and political degradation.

"2. That the people of Birmingham are the best judges of their own right to meet in the Bull-ring or elsewhere, have their own feelings to consult respecting the outrage given, and are the best judges of their own power and resources to obtain justice.

"That the summary and despotic arrest of Dr. Taylor, our respected colleague, affords another convincing proof of the absence of all justice in England, and clearly shows that there is no security for life, liberty, or property, till the people have some control over the laws they are called upon to obey.

(By order) "W. LOVETT, Sec.

"Friday, July 5, 1839."

The prisoner was found "Guilty," but recommended to mercy on account of his former good character.

On Tuesday, William Lovett, who was the secretary to the National Convention, was tried upon a similar indictment, charging the publication by him of the same libel; and after a long and impartial trial, in which the prisoner defended himself with much tact, a verdict of "Guilty" was returned.

Several other prisoners were, during the ensuing week, found guilty of riot, but the prosecutions against many were withdrawn.

On Thursday morning, the 8th of August, Mr. Justice Littledale passed sentence on the prisoners against whom convictions had been recorded.

Jeremiah Howell, Francis Roberts, and John Jones were first placed in the dock.

The Clerk of the Arraigns asked the prisoners what they had to say why sentence of death should not be passed upon them.

Mr. Justice Littledale then put on his black cap, and addressed them. They had been convicted of felony by a jury of their country, for demolishing the house of James and Henry Bourne, of Birmingham. This offence, by the policy of our law, had for many years been punishable with death; and though of late years many offences which were before capital had, by the humanity of the legislature, been mitigated, the punishment for that offence had not been reduced, and it was still thought proper to retain the punishment of death for it. Even at this time, as to such offences as remained capital, where there were any alleviating circumstances, mercy was usually and properly extended. But, he regretted to say, that their offence was not one of that description, nor could he, in the discharge of his public duty, honestly recommend them to mercy. They had been aware that Birmingham had for some time been in a very excited state. Riots had from time to time occurred, which it had been found very difficult to suppress, till at length on the 15th of July they reached their highest pitch—houses were then demolished and burnt, property to a great value destroyed, and, but for the interposition of a superior force, the mob might have had possession of the town, and a much greater amount of property might have been destroyed, and many lives sacrificed. In this act of demolition the prisoners unfortunately engaged themselves, and began the devastation. He therefore found it necessary, as far as lay in his power, to make

Digitized by Google

an example of those who had been convicted, in order to prevent similar outrages in Birmingham and other parts of the kingdom where such things might be contemplated. He hoped that some benefit to others, at least, would result from their sad example, and that those who should hear the account of these lamentable outrages and their result, would be warned by it from the commission of similar offences. But although he could hold out no hope of mercy here, there was for them a hope of obtaining it in another world from that Almighty Being who understood all hearts, and was always disposed to grant it where there was an humble and true repentance. Their time here was fast approaching to its end, and they must be prepared to meet their God. He entreated them to employ that time in true repentance for all their offences, and endeavour to obtain, through the merits and intercession of our Saviour Jesus Christ, that mercy from God which they could not hope for from man. It now only remained for him to pronounce the awful sentence of the law, which was, that they, Jeremiah Howell, Francis Roberts, and John Jones, be severally taken to the place from whence they came, and that they be severally taken from thence to the place of execution, and there severally hanged by the neck till they were dead; and (concluded the judge) may the Lord, in his infinite mercy, have mercy on your souls.

Thomas Aston (the lad who was convicted for the same offence as the other prisoners) was then brought to the front of the dock.

Mr. Justice Littledale said, in his case it did not appear to him that the awful sentence of the law, which would be recorded against him, should be carried into effect, and his life would probably be spared. He would take time to consider for what his sentence should be commuted.

John Neale, William Shears, William Edes, Eleazer Hughes, and James Pomeroy, convicted of misdemeanour and riot, were next placed the dock.

The learned judge, after commenting on the offences of which they had been found guilty, said he found it necessary in their cases, and in order to discourage such scenes of tumult, the consequences of which, when once begun, no man could foresee, and protect life and property in Birmingham and elsewhere, to inflict a severe punishment. He, therefore, sentenced them severally to eighteen months' imprisonment in the House of Correction, and hard labour.

The following prisoners, convicted of the same offence, some of whom pleaded guilty, and in favour of whom there were mitigating circumstances, were then placed at the bar, and received the following sentences:—

John Drinkworth, twelve months' imprisonment and hard labour.

James Rhodes, nine months' imprisonment and hard labour.

John Storey, Frederick Mason, and Thomas Salter, six months' imprisonment and hard labour.

John Taplow, for the same offence (who pleaded guilty), one month's imprisonment and hard labour.

John Smith, William Clift, and Thomas King, were discharged on entering into their own recognizances in 40*l.* each to appear and receive judgment when called upon.

John Collins and William Lovett were then brought up and asked why the court should not pronounce sentence upon them for the misdemeanour of which they had been convicted?

Digitized by Google

Mr. Lovett addressed the Court:—Because, in the first place, he was convinced that the jury were prejudiced against him. He had it from very good authority that several of them declared their express wish that all the Chartists should be hanged. That, he submitted, was a very good reason for a lenient sentence. His lordship would also take into consideration the evidence on the trial, and the proof of the facts set forth in the placard, combined with the prejudiced feelings of the jury—circumstances which ought to weigh much in the present case.

Mr. Justice Littledale then addressed the prisoners. They stood severally convicted of having published a seditious libel. He had taken all the circumstances of the case into his serious consideration. John Collins had received a good character, and the jury, on that account, had recommended him to mercy. In Lovett's case, the jury did not so recommend. At the same time he observed, that Lovett had received a very good character, and though the jury had not recommended him to the merciful consideration of the court, he would not on that account make any difference in their sentence. The sentence of the court was, that they be severally imprisoned in the common jail of this county for one year.

They applied to be imprisoned on the debtors' side; but the learned judge said he had not the power to make such an order.

The business of the assize was then closed.

The final merciful consideration of the cases of the convicts who had received sentence of death, exhibited the leniency with which the government desired to deal with their offences, in spite of their enormity. On Thursday the 15th of August, a large deputation of members of parliament waited upon the minister of the crown within whose department of office the subject came, for the purpose of soliciting mercy for the condemned men. They happily succeeded in their philanthropic object, and a reprieve was instantly despatched to Warwick. It was felt, however, that although the punishment of death was removed, the infliction of a severe penalty was rendered necessary by the enormity of the offence, and the sentence of the prisoners was commuted only to transportation for life.

It would be impossible in the space to which we are limited, to go through the cases of all the persons who were convicted in the course of the years 1839 and 1840, for their advocacy, by the violence of their language, or of their deeds, of the cause of Chartism. Throughout the greater part of the manufacturing districts of England, the agitation which prevailed upon this subject was very great, and repeated and frequent acts of violence were committed, the participators in which suffered the penalties of their offences; but to recite each particular case would be little more than to repeat the same details.

The events of the latter end of the year 1839, when a most systematic and violent attempt was made to seize the town of Newport, in Monmouthshire, by an organised band of Chartists, will be found to be hereafter described; and for a more complete view of the abominable conspiracy which existed in reference to the advancement of the cause of Chartism, we must refer our readers to the article in which the riots of Wales are delineated.

Digitized by Google

THE CHARTIST RIOTS 1839-40.

THE riots which took place at the end of the year 1839, in the manufacturing districts of England and Wales, will long be remembered as among the most serious and violent popular commotions which have occurred in this country in the course of the current century. The Chartists, whose proceedings we have already alluded to, are alone answerable for the mischievous "risings" to which the country was made the prey, and many of them have paid the forfeit of their offences by the infliction of the punishments of transportation, fine, and imprisonment.

Among the most distinguished of the Chartist leaders, who were concerned in the Newport outbreak, which was the most serious of those to which public attention was directed, was Mr. John Frost, who previously to the time of his connection with these proceedings had been a magistrate, and a respectable inhabitant of the borough of Newport, in Monmouthshire. Mr. Frost was well-known to have long entertained political feelings extending to the extreme of radicalism; but, considering the situation of trust which he had held in his native town, it was scarcely deemed possible that he should be engaged in proceedings, the declared object of which was to subvert the government of the day.

Preparatory to entering into a description of the circumstances immediately attending the great Chartist movement against Newport, we shall give a short narrative of the life of Mr. Frost. At the time of his conviction, in the month of January 1840, he had just attained the age of fifty years; his birth, therefore, must have taken place in the year 1790. At an early period of his life he was deprived of the paternal care of his father, and the direction of his education devolved upon his maternal grandfather, a boot and shoemaker at Newport, in extensive business. The schools of Bristol it was found, afforded far better means of education than those of Newport; and, to obtain the benefit of them, Frost was sent to the former place, where he sedulously laboured to avail himself of the good opportunities which were so considerately and timely offered to him.

He became early devoted to books, and little relished his grandfather's business to which he was at first indentured. From these indentures he was released by the interference of an uncle, then mayor of Newport; and he became assistant to a woollen-draper, in Bridge-street, Bristol. Leaving this city he remained for some time in London in the same capacity; and at last returning to Newport, at the solicitation of his mother, he took the house and business of a Mr. Thomas, draper and tailor, the drapery branch of which he carried on until 1812, when finding himself prosperous, he married his present wife, a distant relation of his own, and niece to Mr. Foster, the mayor of Newport, who had been the means of getting him released from his first indentures.

Whilst in London, although not more than twenty years of age, he was entrusted with the chief management of the business of the house in which he was engaged. He was particularly esteemed for his sobriety, and generally spent his evenings at some of the political club meetings which were then so numerous. In these clubs the unhappy subject of these records was in the habit of associating with Gale Jones, Thelwall, Hardy, Galloway,

Digitized by Google

and others of the same school; and although he spoke but seldom, it cannot be disputed that the lessons which he there received and the principles which he there imbibed, had a great influence in directing his mind to that course which he subsequently pursued.

In the year 1817, Mr. Frost entered into a public political discussion with Mr. Cobbett, which was the first occasion on which he had been placed in a conspicuous position before the world. From this period he became a constant agitator. In all questions, whether of a local or a general character, he took an active part, and more than once before his connection with that struggle for chartism, which was productive to him of so serious results, he became involved in situations threatening him with ruin.

In the year 1822 Mr. Frost was subjected to a severe imprisonment, upon a conviction founded upon a libel published by him against Mr. Protheroe, the town-clerk of Newport. Upon this subject a writer, apparently favourable to Mr. Frost and the views which he took upon this question, thus expresses himself:—

"Up to this period the current of Mr. Frost's life seems to have run smoothly and prosperously; a happy husband and father, and a prosperous tradesman, he seemed destined to go through life without a cloud on his fortunes, when he unfortunately became involved in law proceedings with a Mr. Protheroe, town-clerk of Newport, and land-steward to Sir Charles Morgan, a man of great influence in the neighbourhood. The immediate cause of this quarrel was Mr. Frost's having become bail for a relation, whom Mr. Protheroe (an attorney) was suing for an alleged debt of 150*l*. The legality and existence of the debt were both denied; but owing, it is said, to some informality, the suit was decided against the defendant, and in the consequences of this decision Mr. Frost became involved. Conceiving himself wronged, Mr. Frost, it appears, threatened to lay a statement of the whole affair before the public, unless his portion of the loss was refunded. The judgment not being upon the merits, but merely in consequence of a technical mistake, he conceived he was not morally bound to pay the money. This argument it seems was not satisfactory to the plaintiff, and the end was, that Mr. Protheroe brought an action against Mr. Frost, upon the ground that this threat of publication was an attempt to extort money. In the eye of the law it was so, and Mr. Frost had 1000*l*. damages awarded against him for this rash step. Mr. Frost immediately sold his stock, and paid all his creditors, save one relation, who arrested him for a debt of 200*l*. Upon this Mr. Frost declared himself insolvent, and surrendered himself as such."

The matter, however, did not end here; but the writer already quoted says further:—

"In the mean time his opponent, Mr. Protheroe, had commenced a fresh action against him for libel. Mr. Frost had, in reference to the former action, alluded to the jury as being 'packed,' and also asserted that two of the witnesses, clerks of the plaintiff, were perjured. Upon this Mr. Frost was tried and found guilty of a libel, for which he paid the penalty of six months' imprisonment in Coldbath-fields Prison, London.

"Public opinion was, however, in Mr. Frost's favour, though the law was his enemy. On his return to his native town, after his imprisonment for this libel, he was met by fifteen thousand of his neighbours, with banners and music, and so made a sort of triumphal entry into Newport,

Digitized by Google

ruined by course of law, without having, in general estimation, been guilty of a shadow of crime."

From this period Mr. Frost continued to reside in Newport, exerting his influence, upon every occasion, in support of the more popular views upon the various questions coming under discussion, and advocating, with considerable effect, the necessity of reform in the corporation of that small borough. When the Municipal Corporation Reform Bill was passed, he was looked upon by his fellow-townsmen as the fittest person to represent their opinions; and, in the year 1837, he was elected mayor, notwithstanding the strenuous exertions of the party opposed to him in political opinions. At the same time he held the office of guardian of the poor of the union in which he lived, under the Poor Law Amendment Act; and in reference to this law, as well as all others upon which any popular feeling existed, he espoused the cause of opposition.

At the conclusion of the year of his mayoralty, he was placed on the list of justices of the peace for the district of Newport, in consequence of the representations of his fellow-townsmen, by Lord John Russell, at that time Secretary of State for the Home Department; but, notwithstanding his elevation to this undoubtedly honourable post, he continued to employ his greatest efforts in favour of the wishes of the working classes. In 1838 he joined a society called "The Working Men's Association," at Newport, and this was the first step which he took towards that unfortunate termination of his career which subsequent circumstances brought about. In the course of the ensuing year he was elected, as the representative of the district of Monmouthshire and its vicinity, in "The Convention of the Working Classes," an assembly which met in London in order to endeavour to procure the adoption of the principles of the "Charter" by parliament. Preparatory to his quitting Newport to take his share in the discussions which took place at this Convention, he attended several meetings of the persons by whom he had been elected, for the purpose of their determining upon the precise grounds to be taken by him upon his arrival in London. Acting as chairman at several of them, he made such assertions, and employed such arguments, as were considered by the officers of her majesty's government inconsistent with the duties of the office of magistrate, which he then held; and Lord John Russell in consequence wrote to him, to demand an explanation of his conduct. A long correspondence took place, and considerable public excitement was occasioned; but the result was that, in the month of May 1839, the name of Mr. Frost was removed from the list of persons in the commission of the peace.

This step upon the part of the government had the effect of raising Mr. Frost still higher in the opinions of those persons of whom he was now the professed leader; and, while in the Convention in the metropolis, he acquired considerable influence, on his return to Newport he was received with great enthusiasm. In his speeches, the views which he took, although undoubtedly opposed to the government of the day, of whom he spoke in no measured terms, were decidedly in favour of the operation of "moral force," as distinguished from "physical force," in securing the object which his partisans had in view. It is surprising, therefore, to find, that on his eventual re-appearance at his native town, he should have espoused the cause of violence, and should have consented to take the lead

Digitized by Google

in so formidable a movement as that which was made under his immediate controul and direction.

Frost, however, was not the only individual whose proceedings attracted attention. Other delegates to the Convention had been appointed from the same district, and the violence of the declared opinions of one of them, named Vincent, laid him open to charges against him of a very serious nature. He was found to have gained great power over the operatives in the coal and iron districts around Monmouth; and his outrageous language soon obtained for him the notice of Mr. Phillips, the mayor of Newport, within whose sphere of action he most frequently exhibited himself. A prosecution was in consequence determined upon; and, on the 2nd of August 1839, true bills were found at the Monmouth Assizes against him, together with other persons, his associates in the cause of violence, upon a charge of unlawfully meeting together, intending to disturb the peace and tranquillity of this realm, and to excite disaffection and hatred to the government and constitution of the country. Amongst the defendants upon these indictments was Mr. Frost; but, unfortunately for him, his case was postponed to the ensuing assizes. A verdict of "Guilty" was returned upon the charge preferred against Vincent, and he was sentenced to one year's imprisonment, while his companion, William Edwards, was ordered to undergo nine months' imprisonment, and John Dickenson and William Townsend were sentenced to six months' imprisonment.

After this conviction no popular movement took place, but the prisoners were conveyed, without any attempt at disturbance, to the county jail; and although many remonstrances were heard as to their being subjected to the rigorous discipline of the jail, these eventually ceased, and a prospect of peace and quietude presented itself. While yet the authorities were congratulating themselves upon the check which appeared to have been given to physical-force chartism, however, information reached them that secret meetings were nightly held in beer-shops and club-rooms in the country districts, the proceedings at which were calculated to excite feelings of the greatest uneasiness amongst the well-disposed subjects of her majesty. Rumours were afloat that a rising was meditated on the hills, for the purpose of attacking Newport, and, in the event of success, of marching to Monmouth to liberate Vincent and the other Chartist prisoners confined in the jail of that town. From the frequency and vagueness of such reports, little importance (generally speaking) was attached to them until Sunday, the 3rd of November, when Mr. Phillips, mayor of Newport, obtained information, to which some credence was attached, that an insurrectionary movement had been determined on in the Chartist lodges. The mayor, from the first moment of serious alarm, adopted every precautionary measure, which firmness, correct judgment, and indefatigable exertion could accomplish. On the first intimation of danger, he sent the police-officers to summon all the special constables to attend him at the King's Head Hotel, at eight o'clock in the evening. The call was promptly responded to by all the respectable inhabitants; and it was resolved that, in consequence of the information received, it was necessary that fifty special constables should remain on duty in the King's Head Hotel all night, fifty at the Westgate Hotel, and fifty at the Parrot Inn. The mayor afterwards adjourned to the Westgate Hotel, where the magistrates held their sittings; and a detachmant of the 45th foot, consisting of thirty soldiers

Digitized by Google

only, was stationed in the house, under the command of Lieutenant Gray, it having been deemed advisable that the remainder of the troop should stay at the workhouse with Captain Stack, where about two hundred stand of arms were deposited. In the course of the evening and the night, the special constables, who were on duty parading the streets, captured many Chartists, armed with pistols, pikes, and other deadly weapons. The alarm was complete; for, during the whole of the afternoon, every inhabitant, or stranger, who happened to arrive in town from the vicinity of the works, brought in the terrifying intelligence that the ringleaders of the Chartists had been scouring the hills during the whole of the day, in all directions, and compelling, by brute force, all who came within their reach to join their ranks, and that it was highly probable that an attack would be made upon Newport that night. This induced the mayor to look for further assistance, and he accordingly sent an express to the mayor of Bristol, requesting a reinforcement of troops. The morning dawned upon the affrighted town without apparent danger, but still alarms were abroad; and, as the hours advanced, business appeared at a complete stand-still, and no one ventured to open his shop. At eight o'clock Lieut. Gray, of the 45th, with two sergeants and twenty-eight soldiers, arrived at the Westgate Hotel, from the barracks at the poor-house, beyond Stow Hill, the remainder being left under the command of Captain Stack at their barracks. The gallant lieutenant immediately placed himself and men under the direction of the mayor; and the brave and determined fellows were judiciously posted in the room which commanded the entire extent of the front of the premises. The shutters of the Westgate Hotel windows were closed, but the entrance was open, and the passage occupied by special constables with staves, there being no appearance of a military force from the exterior of the house.

The subsequent circumstances attending this unfortunate affair, are best detailed by the Attorney-General's speech, and by the evidence which was produced at the trial; and having merely stated the fact of the riot having occurred on the 4th of November, 1839, we shall proceed to the description of the circumstances attending the investigation before the jury.

The importance of the inquiry was deemed by the officers of the crown to be sufficient to warrant the issuing of a special commission for the trial of the prisoners, and the necessary preliminary arrangements having been made, the business of the commission at length commenced on Wednesday, the 1st of January, 1840, at Monmouth, Sir N. C. Tindal, the Lord Chief Justice of the Court of Common Pleas; Sir J. Parke, one of the Barons of the Court of Exchequer; and Sir J. Williams, one of the Justices of the Court of Queen's Bench, being the Judges appointed to undertake the difficult task of trying the numerous prisoners in custody; and the Attorney-General (Sir John Campbell), the Solicitor-General (Mr. Serjeant Wilde), Mr. Serjeant Ludlow, Mr. Serjeant Talfourd, Mr. Wightman, and Mr. Talbot, being the counsel for the crown. The counsel engaged for the prisoners were Sir F. Pollock, Mr. Kelly, Mr. Thomas, and Mr. Rickards.

The whole of the prisoners had been arraigned upon the indictment preferred against them on a former day, and had solicited to be tried separately, in obedience to a right conferred upon them by act of parliament.

Mr. John Frost was the first put upon his trial. He was placed at

Digitized by Google

the bar at nine o'clock in the morning, and appeared to possess great confidence.

The Attorney-General then rose, and thus proceeded to address the court and jury:—"May it please your lordships, gentlemen of the jury; In the discharge of my official duty, I have the honour of attending here to conduct this important prosecution. I hope you will believe that my only object is, that the facts of the case may be fairly laid before you; that truth may be fully investigated; that innocence may be vindicated, if innocence be found to exist; and that you will only pronounce the verdict of guilty upon clear and convincing proof. It is highly important that parties accused should be zealously and ably defended; but it is likewise of importance that the law should be vindicated; that the peace of society should be preserved; and that, when crime has been committed, guilt should be brought to punishment. I think that no one will deny the necessity for the solemn inquiry in which we are engaged. There has recently been in this county an armed insurrection; the law has been set at defiance; an attempt has been made to take possession of the town of Newport; there has been a conflict between the insurgents and the Queen's troops; there has been bloodshed; there has been the loss of many lives. Gentlemen, the intelligence of these outrages has caused great alarm and dismay throughout the kingdom. Various prisoners, charged with having been concerned in these outrages, are now accused of having committed the highest crime known to the law. Not only on account of the importance of the occasion, but from the forms of the law, it became necessary for her Majesty to issue a special commission for the trial of those charged as offenders. A bill of indictment for high treason was found by a jury of the county against (amongst others) John Frost, the prisoner at the bar; but still he is presumed to be innocent. All the indictment says is this, that he should be put upon his trial. I need hardly caution you, gentlemen of the jury, that you are to dismiss from your recollection all that you have read, and all that you have heard, upon this subject. You are to be guided entirely by the evidence, and you will proceed as if you never had heard of the case until the indictment was read to you. I further use the liberty of saying that you are not to regard my statement, either as to the law or as to the fact. The law you will receive from the venerable judges who preside over this court—the facts you will hear from the witnesses, and you will be guided by the evidence they give, and the credit that you think their testimony is entitled to. A most important charge is given to you, for it is one which bears upon the guilt or innocence of the prisoner. No men can have higher functions to discharge—the life and the reputation of the accused are in your hands—but there are likewise in your hands the public safety and the public justice of the country."

Having then referred at great length to the law affecting the case, the learned gentleman proceeded to say:—"I shall now, therefore, give you a short outline of the facts, which I understand will be clearly proved in evidence before you. For that purpose I must remind you of the geographical situation of the county in which these disturbances took place. You are probably well acquainted with what is called the 'hill district,' in the county of Monmouth. It is of a triangular form, having for its apex a place called Risca, about five miles from Newport. The base is at a distance of from fifteen to twenty miles as you ascend the country. On the

Digitized by Google

west side you have Nantiglo and Beaufort iron-works—on the east, Blaenavon, and the hills in the neighbourhood; Blorage, I think, being one of the heights. The country is intersected by deep glens, watered by rapid streams; the Rumney being on the west, and the Sirhowy parallel to it: then come the rivers Ebbw Upper and Ebbw Lower, which join and flow down towards Newport; and near to that is Lanthewy, and the river Avon. In that county, as you are aware, are mines of coal and iron. These mines have of late years been worked to a very great extent; and those mountainous hills which, fifty years ago, were almost uninhabited—a few shepherds' huts only being scattered up and down, are now the seat of a dense population, estimated, I am told, at forty thousand persons, employed in working the iron and coal mines, and in supplying the wants of those so engaged. I am afraid the population which has thus suddenly sprung up is, in many instances, not the most peaceable. I am afraid that a degree of ignorance prevails which is much to be deplored; and that many of those who live there are subject to be practised upon by designing men. It would appear that this population had been organised to a considerable degree by societies established amongst them, so that on any occasion a command might be issued and circulated amongst the population, and speedily obeyed. It will appear that the prisoner, John Frost, who had been for many years a linen-draper in the town of Newport, possessed extensive influence in this part of the country, the hill district of the county of Monmouth. Newport, you are aware, is the place from which the coal and iron obtained in the mines is exported. It is a considerable town, and great importance is attached to it. It is the highway from South Wales to Bristol, Gloucester, Birmingham, and the north of England. It will appear in evidence before you, that in the week preceding Sunday, the 3rd of November, a plan was formed for a general rising of the population of the district, to take place on the night of that Sunday, when it should arrive. Various consultations were held, at which Mr. Frost was present. Those consultations were held chiefly at a place called Blackwood, between Rumney and Sirhowy. There is a public-house called the Coach and Horses, where there was a lodge or society, and where meetings were held, and where it is clear this scheme was devised or matured. There was particularly a meeting held on Friday before Sunday, the 3rd of November. Deputies attended at that meeting; there was a return of the armed forced which could be mustered; and it would appear that there the plan or scheme was laid down which was afterwards to be carried into effect. What was that plan? It appears that orders were to be issued to the men to assemble armed on the evening of Sunday, November the 3d. There were to be three principal divisions—one was to be under the command of John Frost himself, who was at that time stationed at Blackwood. Another division was to be under the command of Zephaniah Williams. Williams lived higher up the country; he kept a beer-house at Coalbrook-vale, on the Ebbw, near Nantiglo. He was to collect the men up the country, and to bring them down towards Newport. The 3d division was to be under the command of a person of the name of William Jones, a watch-maker, at Pontypool. He was to collect the people from the north and west, and bring them down, and they were all to meet somewhere near Risca or Cefn, and to come on to Newport. They were to be at Cefn about midnight on Sunday, and, being assembled there, they were to march to Newport about

Digitized by Google

two o'clock in the morning—a time when it was expected that there would be no preparation to receive them; when the inhabitants would be buried in sleep, and entirely disarmed of all suspicion or apprehension of danger. They were, when at Newport, to attack the troops who were there, to take possession of the town, to break down the bridge which is there across the river Usk, to stop the mail, and then, by a signal, the success of the scheme was to be announced. The mail not arriving in an hour and a half after its usual time, those who were in concert with them in that town would know that the plan had succeeded, and there was to be a general rising there, and in Lancashire generally, and elsewhere. Gentlemen, there never was a charter law universally and instantly established—there never was the remotest chance of this scheme being accomplished; but, had it not most providentially happened that the night between Sunday and Monday was one of the darkest and most tempestuous that was ever known in England, it is difficult to conjecture the degree of mischief which might have been wrought before the insurrection could have been suppressed, and peace and tranquillity restored. Gentlemen, John Frost, the prisoner, remaining at Blackwood, the men under his command did assemble considerably earlier than the other divisions. He crossed over from Blackwood to a place called Newbridge, on the Ebbw, and came by Abercairn to Risca and the Welsh Oak, and there he was early in the night; but, from the difficulties which presented themselves, the other divisions, which were to come from the upper parts of the country, did not arrive until long after the expected hour. Zephaniah Williams, who was to bring the men from Nantiglo, did not arrive till after daylight. William Jones, who was to bring his division from the north and west, did not arrive at the appointed time. A man of the name of Britton, who commanded a party of this division, did arrive in time, but Z. Williams with the others was too late. John Frost having come to Risca, remained there until shortly before daylight. It was then thought necessary to muster the forces there collected, and to march on towards Newport. There were collected at that time, according to the best computation that could be made, about five thousand men. Many of them were armed with guns and pistols, many had spears or pikes, and many were provided with an instrument called a mandril, which, as I understand, is a short instrument, made of iron, for picking coal in the mines—a very dangerous and deadly weapon if used for hostile purposes—resembling a pick-axe in shape; others had scythes fixed on sticks, and those who had not weapons of this kind were armed with sticks and bludgeons. Mr. Frost commanded them, and they marched towards Newport. They marched in military order, five abreast. The word of command was given from time to time by Frost, and they came down from Cefn by Pie-corner to Tredegar-park, the seat of Sir Charles Morgan, and through which the highway of a tram-road passes. By the time they had got to Tredegar-park, the day had dawned. Here inquiries were made by Frost as to the position of the military. I may now mention what had been passing at Newport during the night. Intelligence had been brought to Newport on the Sunday night of what had been passing in the hills. Mr. Phillips, who was the mayor of Newport, immediately took measures for the safety of the town, and special constables were sworn and stationed at the most important points. There are three principal inns in Newport, the Westgate, the King's Head, and the Parrot. These inns commanded the principal streets, and there the

Digitized by Google

special constables were stationed. The Westgate is in the market-place, and was considered the most important station of all. The mayor went to the Westgate with other magistrates, and sat up the whole night, sending out constantly for information, and making the best preparations to preserve the peace and defend the town. When the day dawned intelligence was brought that the insurgents were advancing, and were in the neighbourhood of Newport. The mayor had sent a person of the name of Walker, to gain information. That person had been shot at, and returned dangerously wounded. The mayor then sent for military assistance. There was in the neighbourhood only one company of soldiers, under the command of Captain Stack, who were stationed in the workhouse, which had been converted into a temporary barracks, and is on the outskirts of the town. Captain Stack sent thirty of his men to the assistance of the mayor, under the command of Lieutenant Grey and two sergeants. I believe the barracks are about half a mile from the Westgate. Lieutenant Grey brought his men to the Westgate, and in a little time they were stationed in a room in the inn which it is material, gentlemen, I should describe to you. That inn is in Westgate-street, fronting the north. On the east side there is a room, with a bow-window, looking out upon the street. In that room the military were stationed. There is a corresponding room on the western side of the house, where the magistrates were assembled. Between these two rooms is a corridor or passage, which you will find was a scene of strife. The special constables remained before the door of the inn where they had been placed. The military had not loaded, and it will be a fact most material to the case, that the soldiers did not load their muskets till they were fired upon. This being the state of things at Newport as the insurgents approached, Frost at the head of the body, and giving the word of command, they reached the machine at Court-y-bella, and there Mr. Frost inquired respecting the military. He was told by two boys whom he met at the turnpike, that a number of soldiers had marched to the Westgate Inn. On that the insurgents divided, and part of them turned to the left and went up the hill leading to St. Wollo's Church, whilst another part kept to the right and went towards the town of Newport, through Commercial-street. This last division afterwards came up and joined the others. Those who had gone by St. Wollo's or the Friars, went down Stow-hill, which leads to the Westgate Inn, where Mr. Frost had been told the military were. Mr. Frost still walked at their head, and when they had passed a place called the Catholic-chapel, which is close to the back of the Westgate, the insurgents tried to gain admission to the Westgate Inn by the carriage entrance to the courtyard, behind the premises I have been describing. That entrance is from Westgate-street, and when they failed to procure admission there, they wheeled round to the front of the Westgate Inn. Mr. Frost was still with them, and, as it will be distinctly shown to you, was in front of the Westgate Inn at that time. The special constables were before the door, and the insurgents asked them to surrender; one of the constables said they would not surrender, on which the command to fire was given, and immediately the firing began upon the bow-window of the room in which the military were stationed, and the insurgents attempted to break through the front door of the porch to the interior of the house. They used their pikes for the purpose of forcing the door, and having succeeded, they got into the hall and the passage leading

Digitized by Google

from the magistrates' room to the room where the military were stationed. It was now the time for Lieutenant Grey to do what became him as an officer of her Majesty, and as a good subject of this country, who wished to preserve the lives of his fellow-subjects, and to take care that universal confusion should not occur. Orders were given by him to the military to load. They loaded. I should mention to you, gentlemen, that the room in which they were stationed was that in which was the bow-window—that is, a projecting window having three sides, and not being circular. The shutters of this window were closed, and the glass had been broken by the shots which had been discharged. But while the shutters remained shut the soldiers could not use their guns and fire on the insurgents. Lieutenant Grey, who on that occasion acted certainly in a manner which is above all praise, for the moderation, the firmness, the energy, and intelligence he displayed—went to open the shutters of one part of the window; the mayor went to open another part of the window, and Serjeant Daly to open another. As the mayor opened the shutters he received two wounds, one in the shoulder and the other in the hip. Serjeant Daly was also wounded in the head by slugs, which passed into it, and the gun which he had in his hand had its lock knocked off by a ball which had been fired by the insurgents. The soldiers were then ordered to fire. At this time the insurgents had gained the various approaches to the house; they were in the passage leading to the room in which the military were assembled, and if the order to fire had not then been given, there is no reason to doubt that the military would all have been massacred. The order, however, was given, and it was speedily and effectually obeyed. The insurgents in the passage were fired on, and several of them fell and were killed. The shutters being also removed from the window, the men directed their pieces through it, and thus had command of the space in which the insurgents were drawn up. They accordingly fired into the street, and several of the insurgents were wounded and fell, and the others were speedily dispersed (Mr. Frost had not been seen after the firing first began), and they fled in every direction. Zephaniah Williams was about ten minutes too late, but he did arrive at last with the Nant-i-glo men, a band almost as numerous as that led by Frost himself. William Jones, of Pont-y-pool, did not come nearer to Newport than Malpas, but he was proceeding onward when he heard of the disasters which had happened to his associates in Newport. He likewise fled, and the men who were with him dispersed. I should mention that these three parties in their progress scoured the country and pressed various persons whom they compelled to march with them, at the same time seizing all the arms they could find. Mr. Frost himself was seen soon after the defeat of his associates in Commercial-street, which leads to Tredegar; after the action was over, he was seen in Tredegar-park escaping into a wood, and he was apprehended in Newport on the Monday night with pistols and powder in his pocket. Gentlemen, thus tranquillity was restored, and it will be for you to say, if these facts be true, whether there is any reasonable doubt of the guilt of the prisoner Frost. And how are those facts to be proved? With regard to the main circumstances, no doubt whatever can be entertained; and I shall prove the facts by witnesses who are above exception, who were unconnected with the circumstances, and who were employed in trying to establish peace and to restore tranquillity. With regard to the declarations made by Frost, which I have avoided to detail

Digitized by Google

for the present, the proof of these will much depend on the evidence of persons who were concerned with him in the insurrection. When my learned friend comes to remark upon their testimony, he will probably call them accomplices; but, gentlemen, whether they are voluntary or compulsory witnesses, there is no doubt that their evidence ought to be received with great suspicion, and weighed with anxious care; but if you do sift it, and find no good reason to doubt its veracity, you will not hesitate to believe the evidence given by such individuals. In such cases evidence of this kind must be laid before the juries who try them; for it is evident that treasonable conspiracies are not concocted in public; and how can they be proved but by the employment of spies and informers, whose evidence, it is true, is generally condemned and often disbelieved In this case, however, I purpose to call no spies, no informers—for none such were employed—but I propose to call persons who were engaged more or less in the insurrection, and who, I submit, may be trusted if their evidence be consistent, and if it be corroborated as to the main points to which they will speak. On that evidence no doubt will exist in your minds with regard to the guilt of the prisoner. Gentlemen, it gives me sincere satisfaction to find that he is defended by gentlemen of the first eminence and the first talent at the bar of England. All that zeal, learning, and eloquence can accomplish, will be achieved in his cause, so that the result of this trial must satisfy the public justice of the country. I own it seems to me, that my learned friends will have a difficult task to perform. I think they will hardly deny the law of treason as it was laid down by Mr. Justice Foster and Lord Tenterden; and here was an insurrection of men, formidable from their numbers, met for a public purpose, and actually engaged in conflict with the Queen's troops, not accidentally, or in a sudden affray, but publicly, with premeditation and design. Will my learned friend say that it was a private object the prisoner sought to obtain? What this was I am at a loss to conjecture. It was not private revenge, or a private grievance. The insurgents did not meet for the purpose of discussing petitions to be presented to the Queen, or to either of the houses of parliament. It was not a meeting arising out of disputes between the masters and servants engaged in the coal and iron trade. It was not a sudden outbreak arising from want of employment, or the want of food; for, I believe, that if inquiry be made, it will turn out that the coal and iron trade has not been in a more prosperous condition than it was when this insurrection occurred; that the wages of those employed in it were high, and that those persons who were engaged in the insurrection had no pretended private grievances which they wished to redress. What conclusion then must be drawn from this if the witnesses speak the truth? That they assembled for a public object with an armed force to change the law and the constitution of the country. Unless this offence be satisfactorily made out there can be no question, gentlemen, that it will be your duty to acquit the prisoner, and that you will have great satisfaction in doing so; but if the evidence clearly and satisfactorily establishes the case against him, you will no doubt act the manly part which it will be your duty to perform. You will not shrink from your duty, whatever may be your feelings. It imports all persons, whatever may be their situation, that the law shall be respected and obeyed: whether they possess landed property, or if they are merchants, or tradesmen, or labourers. Whatever may be their situation,

Digitized by Google

whether it be high or humble, it imports them all that such tumults as this should be suppressed, and, for the sake of example, that punishment should take place. I have given you a short outline of the facts of the case. I have no doubt that the witnesses who will be called and examined will receive from you the most careful attention, and that you will listen, with the respect due to them, to the arguments which may be adduced in favour of the prisoner. On these it will then be your important duty to pronounce your verdict of 'guilty' or 'not guilty;' and I have no doubt that you will do so with justice towards the prisoner, and with satisfaction to the public justice of the country."

The learned Attorney-General having concluded his address, the first witness, named Samuel Simmons, was called.

Sir F. Pollock rose to submit an objection to the court, to the examination of the witness. It appeared that by various statutes, the prisoner was entitled to the delivery of a copy of the list of witnesses to be examined at the trial, and also of a copy of the indictment, and of the panel. The statute of the 7th William III. entitled the prisoner to the delivery of a copy of the indictment five days before the trial, and to the delivery of a copy of the panel two days before the trial. The statute of the 7th Ann, c. 21, s. 11, provided that "when any person should be indicted for high treason or misprision of treason, a list of the witnesses who should be produced on the trial for proving the said indictment, and of the jurors, mentioning the names, professions, and places of abode of the said witnesses and jurors, should be also given at the same time that the copy of the indictment was delivered to the party indicted." It then further provided in favour of the prisoner, that "a copy of all indictments for the offences aforesaid, with such lists, should be delivered to the party indicted ten days before the trial, and in the presence of two or more credible witnesses, any law or statute to the contrary notwithstanding." In the present case the list of witnesses had been handed to the prisoner on the 17th of December, but the copy of the indictment had been served on the 12th of the same month. The distinct provisions of the act therefore had not been complied with.

The Attorney-General, on the other side, contended first, that the objection was too late, and that it ought to have been made before the arraignment of the prisoner on the indictment, when the formal error, if any had been committed, might have been remedied by fresh service; but secondly, that in fact there was no error at all, for that the service of the copy of the list of witnesses and of the copy of the indictment before the time required by the act of Queen Ann was advantageous to the prisoner, and that their not having been handed to him both together could not be deemed by the court to be sufficient ground for setting aside the proceedings, or for directing an acquittal of the prisoners.

In answer to these arguments, which occupied the whole day, Chief Justice Tindal said, "It seems to me that the prisoner's counsel have raised a very great doubt, and the point is one which requires serious consideration. It is the more important as the same objection may apply itself, under existing circumstances, to several other cases. We propose, therefore, to take a course in the present case, to prevent the possibility of any hasty decision operating to the disadvantage or prejudice of the prisoner on the one hand, or to the prejudice of public justice on the other. We shall allow the trial to proceed, and take the opinion of her Majesty's judges on

Digitized by Google

the subject, in the event of the result of the trial on the present occasion making such a reference necessary."

On the 2nd of January the learned counsel for the crown proceeded to the examination of witnesses in support of the allegations against the prisoner. The evidence was corroborative of the statement made by the learned Attorney-General, and it is unnecessary to repeat the facts which were sworn to. Sir Thomas Phillips, the mayor, who had been knighted, and Captain Grey, who had received a new rank in consequence of their gallant and praiseworthy exertions in defence of the town, were called and examined, but they in effect related the same story which had been detailed in the opening speech.

The next witness called was Thomas Walker, the special constable, who had been wounded. He stated that he went out by order of the mayor to make observations upon the district towards Risca, which is about six miles from Newport. He found several parties of men on the road, apparently armed; and at Risca he heard shots fired, and some cheering. On his return he was stopped by about sixteen men, and he was stabbed by one in the thigh, while another fired a pistol at him, the ball from which inflicted a very severe wound. He managed to reach Newport, but on his arrival there he was so weak as to be unable to walk any further; and having reported himself to the mayor, he was carried home and put to bed.

The mode by which the men, under the command of the prisoner, increased the number of his followers, was detailed by several witnesses, who were labouring men, residing on the different lines of march taken by the Chartists. From their testimony, it appeared that every cottage was attacked and the male inhabitants forced to take such implements as they might possess, (fit to be employed as offensive weapons,) and accompany the main body. In case of refusal, or of disinclination being exhibited to obey the orders which were given, force was used, and persons were set to guard those who appeared likely to attempt to escape. Out-scouts, it was also proved, were appointed to watch the districts in the neighbourhood of the Welch Oak, and the various places of meeting, and upon the approach of any strangers, they were directly seized and carried before some of the leaders for examination. Chartist lodges were shown to have been established throughout the whole district of country surrounding Newport; and at the meetings which were held antecedent to the insurrection, collections were made for the purpose of defraying the expenses of the purchase of arms to be used against the authorities of the town.

Other witnesses were called, who deposed to facts implicating Zephaniah Williams and William Jones, as well as the prisoner Frost, and proved the employment of great violence by them and their followers.

The evidence as to the apprehension of Frost, was that of Mr. Thomas Jones Phillips, clerk to the magistrates of Newport. Having proved the issuing of the warrant for the prisoner, he said "On Monday the 4th of November I went to Mr. Frost's house with the superintendant of police, but he was not there. I afterwards went to Partridge's house, but not in search of Mr. Frost. I had a search warrant for Partridge's house. I went to the house attended by some special constables. It was between the hours of seven and eight o'clock at night. I knocked at the door, but no notice was taken. I then attempted to enter the house, but finding the door

Digitized by Google

fastened, I called out 'Partridge,' and he said 'I am gone to bed.' I said 'Get up and open the door, or I must force it open.' The door not being opened, I forced it open. I heard the cross, that seemed to fasten the door inside, falling down, and then, when the door was open, I saw Mr. Frost standing within two yards of it. He was facing me. The cottage in which Partridge lives is a very small one, and the door opens from the street into the room. There is no passage. I walked up to Mr. Frost, and laid my hand upon his shoulder on one side, while Mr. Rogers, who was with me, laid his hand on his other shoulder, and said to Mr. Frost, 'He was a prisoner.' Mr. Frost said, 'Very well, I will go with you directly.' I said, 'No, I am not yet prepared to go with you,' for I had the search warrant to execute. I then searched the house. Mr. Frost appeared to me (at the time) to be very much fatigued; and he himself told me that he felt very uncomfortable. He walked arm-in-arm with me from Partridge's house to the Westgate Inn. He was not searched till he got to the Westgate Inn. There were found upon him three pistols, a powder-flask, and some balls. The balls I believe were loose in his pocket. The pistols were all loaded."

This evidence, which was concluded at the end of the fifth day of the trial, completed the case for the prosecution.

Sir F. Pollock, on the following Monday morning, proceeded to open the case for the defence. The learned gentleman occupied more than five hours and a half in addressing the jury; commenting in the most able manner upon the whole of the vast mass of evidence which had been adduced, and contending that there was nothing in the conduct of the prisoner, or of his associates, which could in the slightest degree warrant a presumption that they had assembled for the purpose of committing any offence which could be supposed to amount to high-treason. He urged that the probability was, that the assemblage took place with a view (on the part of the Chartists), to exhibit their power, and, by making a general movement, to procure the release of Vincent, their partisan, at that time undergoing an imprisonment, on a charge of sedition, in Monmouth jail; and that some prisoners having been made from amongst them, they had gone to demand their liberation, and had become exasperated by the harsh measures adopted against them by the authorities.

Several witnesses were called with a view to support these suggestions, and to show that the first act of aggression was on the part of the soldiers; and many persons gave the prisoner an excellent character for humanity and general mildness of disposition.

Mr. Kelly then proceeded to sum up the whole of the evidence, on the part of the prisoner, in a most able speech, and he was followed by the Solicitor-General in reply.

Towards the conclusion of the eighth day's proceedings, the Lord Chief Justice addressed the jury upon the whole case. At six o'clock the jury retired to consider their verdict, and in about half an hour returned into court, and declared that the prisoner was "Guilty" of the offence imputed to him, but recommended him, generally, to the merciful consideration of the crown.

On the following morning, the 9th of January, Zephaniah Williams was put upon his trial. As we have already entered so fully into the facts proved against the prisoner Frost, it would be useless to repeat the evidence

Digitized by Google

adduced in any of the subsequent cases, which was merely a repetition of that already given. On Monday the 12th of January, this prisoner was called upon for his defence, when he appeared dreadfully affected. His counsel had already addressed the jury at great length in his behalf, and he contented himself with denying that he ever entertained any notion of the kind imputed to him, and solemnly protested that he never had the least design of revolting against the Queen. He was found "Guilty," but, as in the case of Frost, was recommended to mercy.

William Jones was then put on his trial, and on Wednesday he was also pronounced "Guilty," with a similar recommendation to mercy.

It now became the duty of the learned judges to proceed to the consideration of the indictments preferred against the other prisoners, in custody for minor offences alleged against them. Charles Walters, Jenkins Morgan, John Rees, Richard Benfield, and John Lovell, confessed themselves guilty of the charges laid against them; and the Attorney-General withdrew the prosecutions against Edmund Edmunds, James Aust, George Turner, and Solomon Britton, in reference to the propriety of whose indictment great doubts existed. On the same day several other prisoners pleaded guilty to charges of conspiracy, riot, pike-making, burglary, &c.; and on Thursday, the business of the special commission was terminated by the learned judges passing sentence on the prisoners.

Frost, Williams, and Jones, were first brought up; and their lordships having gone through the usual forms put on the black caps, and—

Chief Justice Tindal addressed the prisoners in the following words:—John Frost, Zephaniah Williams, and William Jones, after the most anxious and careful investigation of your respective cases before juries of great intelligence and almost unexampled patience, you stand at the bar of this court to receive the last sentence of the law, for the commission of a crime which, beyond all others, is the most pernicious in its example, and the most injurious in its consequences, to the peace and happiness of human society—that of high-treason against your sovereign. You can have no just ground of complaint that your several cases have not met with the most full consideration, both from the jury and the court; but as that jury have, in each of them, pronounced you guilty of the crime with which you have been charged, I should be wanting in justice to them if I did not openly declare that the verdicts which they have found meet with the entire concurrence of my learned brethren and myself. In the case of all ordinary breaches of the law, the mischief of the offence does, for the most part, terminate with the immediate injury sustained by the individual against whom it is levelled. The man who plunders the property, or lifts his hand against the life of his neighbour, does by his guilty act inflict, in that particular instance, and to that intent, a loss or injury on the sufferer or his surviving friends; but they who, by armed numbers, or violence, or terror, endeavour to put down established institutions, and to introduce in their stead a new order of things, open wide the flood-gates of rapine and bloodshed, destroy all security of property and life, and do their utmost to involve a whole nation in anarchy and ruin. It has been proved in your case, that you combined together to lead from the hills, at the dead hour of night, into the town of Newport, many thousands of men, armed in

Digitized by Google

many instances with weapons of a dangerous description, in order that they might take possession of the town, and supersede the lawful authority of the Queen therein, as a preliminary step to a more general insurrection throughout the kingdom. It is owing to the interposition of Providence alone, that your wicked designs were frustrated. Your followers arrive by daylight, and, after firing upon the civil power and the Queen's troops, are, by the firmness of the magistrates, and the cool and determined bravery of a small band of soldiers, defeated and dispersed. What would have been the fate of the peaceable and unoffending inhabitants, if success had attended your rebellious designs, it is useless to conjecture. The invasion of a foreign foe would, in all probability, have been less destructive to property and life. It is for the crime of treason, committed under these circumstances, that you are now called upon yourselves to answer; and by the penalty which you are about to suffer, you hold out a warning to all your fellow-subjects, that the law of your country is strong enough to repress and to punish all attempts to alter the established order of things, by insurrection and armed force, and that those who are found guilty of such treasonable attempts must expiate their crime by an ignominious death. I do, therefore, most earnestly exhort you, to employ the little time that remains to you, in preparing for the great change that doth await you, by sincere penitence and fervent prayer; for although we shall not fail to forward to the proper quarter that recommendation which the jury intrusted to us, we cannot hold out to you any hope of mercy on this side the grave. And now doth nothing more remain than that the Court pronounces (to all of us a most painful duty) the last sentence of the law, which is, 'That each of you, John Frost, Zephaniah Williams, and William Jones, be taken hence to the place from whence you came, and be thence drawn on a hurdle to the place of execution, and that each of you be there hanged by the neck until you be dead, and that afterwards the head of each of you shall be severed from his body, and the body of each, divided into four quarters, shall be disposed of as her Majesty shall think fit; and may the Lord have mercy upon your souls.'"

The prisoners received the announcement of their fate with the utmost firmness, yet propriety of demeanour. They were the only persons in the crowded court whom the fearful nature of the sentence, and the low, solemn tone, in which it was pronounced, did not most deeply affect.

The prisoners were then removed from the bar, and the clanking of their chains was painfully audible.

Charles Waters, John Lovell, Richard Benfield, John Rees, and Jenkin Morgan, were next placed at the bar, and, as in the former case, were addressed by the learned Judge with great solemnity. Their cases, though sufficiently aggravated, presented features of palliation which entitled them to an extension of mercy, and their lives would be spared. "At the same time (said his lordship), looking to the active and prominent share which each of you has taken in the lawless proceedings at Newport, on the fatal 4th of November, we cannot hold out to you the hope of further mitigation than that you must be prepared to leave your native country, and probably for the remainder of your lives. For the present, and with the object of obtaining such mitigation of the execution of your sentence, it is our duty to pass the sentence required by law;" which his lordship did in the form adopted with the other prisoners.

Digitized by Google

All the prisoners received the intimation that they should be transported with some indication of surprise. Rees alone leant his head upon the bar and wept.

Notwithstanding the extremely perilous situation of the unfortunate men, who were thus convicted and left under sentence of death at Monmouth, during the whole period occupied in their trials their brother Chartists throughout the county persisted in pursuing their reckless and mischievous career. In the immediate vicinity of Monmouth, small armed bands associated themselves for the purpose of deterring the attendance of jurymen and witnesses at the trial; but the active interference of a large body of the London police-force, sent down with a view to the preservation of peace and good order, effectually prevented the success of their schemes. Rumours were industriously circulated, as well before the commencement of the proceedings of the special commission as during their continuance, that a new rising was intended, to procure the release of the prisoners from custody; and the most active preparations were made to meet any outbreak which might occur; but it eventually turned out, either that the reports were unfounded, or that the devisers of the plots wanted the courage or the means to carry them into execution. In Sheffield, Dewsbury, and many of the northern towns, the Chartist agitation was kept up, avowedly without the least consideration for the wretched prisoners; and, by the vigorous agency of the police, the most atrocious plots were discovered and frustrated.

In the metropolis, too, the work of disaffection was apparent. Repeated meetings took place, and schemes of the very worst character were devised; and, on Tuesday the 15th of January, the government received private information that an insurrection was to break out on that night or on the following morning, and that the firing of London in various parts was to be the signal for a general rising throughout the country. Orders were in consequence instantly transmitted to the Horse Guards, for the preparation of a sufficient force to repel any treasonable attack which might be made; and here, as well as at all the barracks in the vicinity of the metropolis, and at the Tower, the whole of the men were put under arms. The metropolitan police-force and the city constables received orders to be ready for immediate action, and the London Fire-engine Establishment—a body of most enterprising and active officers — formed into a fire-police, was placed in readiness to employ their exertions to assist the municipal authorities to suppress the supposed intended conflagration.

The alarm, which was necessarily spread through the metropolis in consequence of these warlike preparations, however, turned out to be without cause; for although on that night a very large meeting of Chartists took place at the Hall of Trades, in Abbey-street, Bethnal-green, there was no attempt at violence. The conduct of the speakers at this assemblage, indeed, sufficiently showed the extremes to which they desired their followers to go; and a subsequent meeting on the following Thursday proved that they were not quite so harmless as their apologists would have had it supposed. At this convention, held, as it was announced, for the purpose of discussing the existing state of the working-classes throughout the country, upwards of seven hundred persons attended, the majority of whom seemed to be individuals of low rank. At nine o'clock the committee came upon the platform, when Mr. Neesom was called to the chair. After the chairman

Digitized by Google

had detailed the objects for which the meeting had been called, Mr. Spurr, who had on a former occasion taken an active part in the discussions, rose to propose the first resolution. After a few preliminary observations, he contended that the only way to preserve the peace was to be prepared to wage war; and in support of such an assertion he thought it would be well deserving the attention of the meeting to bear in mind the words of a celebrated person, "to put their trust in God, and keep their powder dry," which was received with loud cheering. On silence being restored, the speaker was about to proceed, but a body of police appearing at the door with drawn sabres, caused the greatest possible confusion. The chairman entreated the meeting not to be disturbed, as it was held on constitutional principles, but in order not to give their enemies an opportunity of succeeding, he hoped there would be no breach of the peace committed. The police then, having blocked up every avenue leading to the room, prevented all present from retiring, and proceeded to search their persons. Daggers, knives, sabres, pistols primed and loaded, and other weapons of an offensive character, were taken from many of them, while upon the floor were discovered others of a like description, evidently thrown away by their owners in order to enable them to escape detection. Twenty-one of the persons who were taken into custody on this occasion unarmed, were detained in the Trades Hall, and eleven others, upon whom pistols and daggers had been found, were removed to safe custody, in order to await their examination before the magistrates. Upon subsequent inquiries taking place, several of them were discharged, while, however, others, with new prisoners subsequently secured and identified as parties to the meeting, were tried and convicted at the Old Bailey Sessions, and sentenced to various terms of imprisonment.

The accounts received from some of the country districts also, showed that the conduct of the Chartists there was still more alarming; although from the vigilance of the police, and the constant watch kept on their movements, all serious mischief was prevented.

At Sheffield a plot of a most fearful description, which had for its object the burning of the town, was discovered to have been formed, and considerable preparations towards carrying this diabolical attempt into execution were found to have been completed. The magistrates immediately procured the assistance of the military, and the most anxious exertions were made to render any attack which might be attempted futile. It was ascertained that a midnight meeting was to be held among the Chartists on the night of Saturday, the 11th of January; and Colonel Martin, commanding the troops in the vicinity of the town, was called upon by the magistrates to render them such assistance as should be necessary to prevent any outbreak. In the outskirts of the town it was found that the Chartists had assembled in great numbers, and were prepared to undertake any mischievous attack which might appear to their leaders to be proper. The police, who were stationed in the roads to gain intelligence of their proceedings, were repeatedly fired upon and wounded; and one individual, who, from his dress, was mistaken for one of their body, received no fewer than twenty-seven slugs in his neck and shoulders from repeated discharges at him. In the course of the night a great many persons were taken into custody, and a large quantity of muskets, pikes, daggers, a species of instrument intended to impede the progress of horse-

Digitized by Google

soldiers, with three long and sharp prongs, called a cat, with powder, balls, and hand-grenades, were secured. In the darkness of the night large bodies of men, armed with muskets and spears, were seen moving from various points towards the town; but, upon their approaching as far as the pickets which had been thrown out, they appeared to come to the conclusion that their scheme had been discovered, and that therefore their attack would be repelled, and they turned back and marched off into the country districts. During the whole of Saturday night and of Sunday, the greatest degree of excitement prevailed throughout the neighbourhood of Sheffield, and frequent seizures of combustibles and arms took place in houses in the suburbs.

The prisoners who were taken were instantly conveyed before the magistrates for examination, and Samuel Holberry, Thomas Booker, his son William Booker, James Duffey, William Wells, John Marshall, Thomas Penthorpe, Joseph Benison, and William Martin, were eventually committed to York Castle for trial.

Throughout the whole week, great alarm prevailed among the well-disposed inhabitants of the town; and the military continued in possession of the principal places of strength to prevent any new effort against the public peace.

The exhibition of violence on the part of the Chartists, however, was not confined to Sheffield; but at Dewsbury a simultaneous rising took place. On the Saturday night the town was seized by a number of armed men; and the private watchmen, six in number, were compelled to fly. Mr. Hale, an inhabitant of the town, who was acting as inspector of the watch, was fired at, although without effect, and the mob kept the neighbourhood in a state of terror during the whole night by the constant discharge of fire-arms. In Heckmondwicke, and other villages, similar scenes were enacted; and it was afterwards learned that the men who thus disturbed the public peace, were proceeding to join the Sheffield Chartists, but before morning all of them had dispersed.

While these disturbances, however, had occupied the attention of the authorities in the North, in London the government and the law officers of the crown had been occupied in determining the fate of the prisoners under sentence at Monmouth. The questions for the consideration of the judges, reserved at the time of the trials of Frost, Williams, and Jones, for in each the same points arose, were argued before the fifteen judges in the Exchequer Chamber; and after a most lengthy and learned discussion, extending through three days, the case terminated on the afternoon of the 28th of January.

The conclusion arrived at by the judges was communicated by the Lord Chief Justice of the Common Pleas to the Home Secretary, in the following letter:—

"Westminster-hall, 28th January, 1840.

"My Lord—I have the honour to inform your lordship that the argument upon the three cases of The Queen *v.* Frost, The Queen *v.* Williams, and The Queen *v.* Jones closed this afternoon, and that the judges, after considering the subject, have come to the following determination upon the two questions which have been argued before them, viz:—First—A majority of the judges, in the proportion of nine to six, are of opinion that the delivery of the list of witnesses was not a good delivery in point of law.

Digitized by Google

"But secondly—A majority of the judges, in the proportion of nine to six, are of opinion that the objection to the delivery of the list of witnesses was not taken in due time. All the judges agreed that if the objection had been made in due time, the effect of it would have been a postponement of the trial in order to give time for a proper delivery of the list. The result, therefore, of the determination of the judges is, that the conviction is right.

"I have the honour to remain, my lord, your lordship's faithful and obedient servant,

"N. C. TINDAL.

"The Lord Marquess of Normanby, &c. &c. &c."

On the day following the receipt of this communication, at a Privy Council which was held, it was determined that the lives of the convicts must be forfeited to the laws of the country, and the following letter was transmitted to Monmouth :—

"Whitehall, January 29, 1840.

"SIR—I am to signify to you the Queen's commands that the execution of the sentence of Death, passed upon Zephaniah Williams, John Frost, and William Jones, now in the jail at Monmouth, be respited until Thursday the 6th day of February next. But the prisoners are to be distinctly informed that the sentence of the law will then be carried into effect.

"I am, sir, your obedient humble servant,

"NORMANBY.

"To the High Sheriff of the County of Monmouth."

The governor of the jail, in obedience to these instructions, delivered a copy of this letter to each of the prisoners, and they appeared perfectly composed, and as if they had never entertained any hopes of mercy being extended to them. Every exertion had been made in the metropolis in the meantime with a view to procure the mitigation of the sentence of the prisoners. Petitions from all classes poured in to the Home Office; but all were declared to be of no avail, and it was not until Friday evening, the 31st of January, at a late hour, that her majesty's ministers came to a resolution to spare their lives. Sir Frederick Pollock used his greatest efforts to procure this desirable end; and having had no fewer than six interviews with Viscount Melbourne upon the subject, he had given up his task in despair, when, urged by Lord Brougham once again to see the premier, the learned and indefatigable advocate retired with the promise of her majesty's ministers, that the crimes of Frost and his two wretched partners in guilt should not be expiated on the scaffold.

On the following evening an express was sent off to Monmouth, bearing intelligence of this decision on the part of the government; and on Sunday night it arrived in that place. The reprieve, however, was accompanied by an order for the immediate removal of the prisoners to the hulks; and a military escort having been procured, at half-past one o'clock on Monday morning, the prisoners were roused from their beds, informed for the first time of their altered fortunes, and ordered instantly to prepare themselves for their removal. The wretched men had already taken leave of their families, supposing death to be inevitable, and their first feelings at their escape can be well imagined. They were now supplied with refreshments; and at two o'clock they were hurried into the prison van, and, escorted by a troop of lancers, were conveyed to Chepstow, and there put on board the

Digitized by Google

Usk steamer, to be carried to Portsmouth, from whence they were to be transported for life.

In the course of the time during which the prisoners lay at Portsmouth awaiting the sailing of a vessel for New South Wales, renewed attempts were made to procure their freedom. Petitions from many districts, numerously signed, were presented, in which the impolicy of tarnishing the annals of a month in which the nuptials of the young queen were to be celebrated was urged; and even parliament was occupied with the discussion of the propriety of the steps taken by the government. In the House of Commons and in the House of Lords motions were made with a view to obtaining the pardon of the prisoners, but the ministers of the Crown, in a wise exercise of the duties of their office, strengthened in their opinion upon the case by that of the learned judges, before whom the prisoners were tried, declined to recommend that Her Majesty should make any further alteration in the sentence of the prisoners. The following letter, conveying the sentiments of the judges upon this occasion, was produced in both Houses of Parliament:—

"Westminster-hall, January 31st, 1840.

"My Lord—As to the law, the uniform practice has been, so far back as we have any means of knowledge, that if the judge upon the trial of an indictment feels any serious doubt as to an objection that occurs in point of law, he decides the point against the prisoner, and allows the trial to proceed, reserving such point of law, in order that he may take the advice and opinion of all the other judges thereon. After consulting them, and hearing argument thereon (if thought necessary) the opinion of the judges is taken, and that of the majority binds the judge who has reserved the question. If that opinion should be against the prisoner, the law is suffered to take its course, and the sentence which has been passed remains. If the opinion of the judges is in favour of the prisoner, the constant course is for the judge who tried the prisoner, and passed the sentence, to apply to the Secretary of State for a free pardon. And this course in no way depends on any consent, express or implied, on the part of the prisoner; the judge pursues it at his own discretion, and decides the point for the present against the prisoner, giving him the benefit of further consideration and advice with the other judges. And this course is pursued for the manifest purpose of preventing a failure of justice; inasmuch as if the judge decided under his immediate impression, supposing it to be in favour of the prisoner, and directed an acquittal, there could be no new trial, although upon reference to the other judges his own opinion was held to be wrong. On the other hand, if the opinion of the judge is at the time unfavourable to the prisoner, it can be reserved by that course, and if erroneous set right.

"With respect to the statement in the memorial, of what took place at the trial, so far as relates to ourselves, we cannot but remark, that the learned counsel labour under a complete misapprehension, at which we are the more surprised, as we expressly stated that no distinction would be made between this and other cases tried at the assizes, but that it must follow the ordinary course.

"At the time of the discussion, we all of us entertained serious doubts, more or less strong, on the objection that was raised before us. And if the law had obliged us to come to an immediate and final decision, without the

Digitized by Google

power of consulting the judges, which the law does not, we were not prepared, without much further consideration, nor without hearing the argument on the part of the Crown concluded, to come to any determination on the point. We therefore followed the ordinary course pursued on similar occasions, decided the point against the prisoner by allowing the trial to proceed, subject to the revision before referred to.

"We beg to inform your lordship, that we think the circumstance stated and relied on in the memorial; viz., that two of the judges under the special commission ultimately declared their opinion in favour of the objection, does in our judgment make no difference whatever; nor do we think that any inclination in their minds at the time of the trial ought to affect the question; the law is taken from the majority of the judges when consulted.

"Under the circumstances above mentioned, we beg leave to represent to your lordship, that in our opinion there is no ground whatever to entitle the prisoner, John Frost, to a free pardon.

"N. C. TINDAL.
"J. PARKE.
"J. WILLIAMS.

"To the Most Noble the Marquess of Normanby, &c."

While these proceedings were going on in London, on the 26th of January, Bradford, in Yorkshire, was made the scene of acts of conspiracy against the government; but as the particulars of this affair appear in the allusion to the trial of the conspirators, which we make hereafter, we shall not here further refer to it.

The trial of those prisoners whose names we have already mentioned as having been parties to the Sheffield conspiracy, came on at the York assizes on the 16th of March, before Mr. Justice Erskine.

The court was at an early hour besieged by parties anxious to obtain admission. In a part of the hall a great number of pikes, knives, daggers, and fire-arms of various kinds, were laid in readiness to be produced at the trial. On the table in the court was a large basket containing pistols, muskets, balls, powder, and shells of various kinds, some of them nine or ten inches in diameter, and bound round with great quantities of pitched twine.

At nine o'clock his lordship entered the court, and was immediately followed by the Attorney-General (Sir John Campbell) who had gone down specially to conduct these prosecutions.

Samuel Holberry, Thomas Booker, William Booker, and James Duffey were put to the bar. Wells, included in the same indictment, had pleaded guilty.

The prisoners were charged with a conspiracy to violate the law, to create insurrection, and to disturb the public peace. The inquiry extended to a very great length, but the most interesting evidence was that of one of the associates of the prisoners, named Samuel Powell Thomson. He said, "I had been in Sheffield about three years in January last. I became a member of the Secret Association the first or second Sunday after the disturbance in Wales, some weeks before Christmas. I belonged to a class held at Valentine Benison's, in the park. I attended meetings from time to time there and at other places. There was a room in Figtree-lane.

Digitized by Google

There were two sorts of meetings, one a public meeting, to which any one was admitted, the other a secret one for those who were made members. I knew Samuel Holberry. I got acquainted with him the latter end of August or the beginning of September. He attended the meetings in Figtree-lane. I saw him on Sunday, the 5th of January; it was at his own house. There were some other men I had seen at the Chartist public meetings. Holberry said he had been to Dewsbury, and he was happy to tell us that the day, and the hour, and the moment were settled when a unanimous rise would take place, but only two people in each town were to know the time. He had pledged his word, he said, that no place of worship should be destroyed, and no provision stores. We then went to the room in Figtree-lane, where there was a party of members belonging to the Secret Association. Holberry repeated what he had previously said, and said the time would be short, but he was not allowed to make it known to any but two. He said he had another journey to go, and would want some money. He had to go round by Nottingham and that district. He mentioned Sutton and Ashfield. We began to make a subscription of 10*s.* or 11*s.* I gave sixpence." The witness having detailed the occurrences at subsequent meetings at which he was present, and at which the quantity of arms in the possession of the conspirators was calculated, went on to say:—"On the Saturday Boardman desired me to come to the Figtree-lane room about three o'clock. I went and found several men there, one of the name of Cooper. Samuel Holberry came; he told us to follow him. We went to a public-house in Lambeth-street. We went into the lodge-room up stairs. We found a person of the name of M'Catterick and others. Holberry spoke; he stated that the first thing to be done was for us all to assemble, and be at the Town-hall and Tontine exactly as the clock struck two, as they were first to be taken. That the classes were to come up to take them. One was to come up first from every class, and then two, and then the whole body. Boardman said he could bring about fifty. I said I could bring fifty. M'Catterick said he could bring about forty. Duffy said he would bring sixty-four. The Irishmen present began to talk about getting arms. It was decided that they should go to the shops where weapons were exposed for sale, and break them open. They were to shut the gates of the Tontine, and barricade them with the coaches. In the Town-hall, one part was to occupy the lower floor and the other the upper. They began to talk about the "cats." It was decided that they should be thrown between the barracks and the Tontine. Holberry said, that he and eight others would go, after the soldiers were called out, and fire the straw chamber. One was to climb the spout and throw a fire-ball into the straw-chamber. They were also to fire the riding-school. The ones and twos who were to come up first were to assassinate all the watchmen they met. We remained in Lambert-street till nearly six o'clock. Holberry said they had agreed as to what was to be done, but they had not agreed provided they were put off. In that case they were to 'Moscow' the town. I was in company with fourteen or sixteen belonging to my class. I took these men to Burke's class, in Mill-lane. They were generally armed. William Wells brought three daggers, and gave them to me; he wished the name to be filed out. We remained at Burke's till two o'clock. Burke dipped some torches in turpentine. A person came down from the council, which had met at Lambert-street, and brought word we were to meet at the top

Digitized by Google

of Watery-lane. We set off thither, about twenty-four of us. We got there near about three o'clock. We then came back to Tobacco-box-walk. We met a few Irishmen of Duffy's class. They said they were seeking Duffy. I accompanied them to Duffy's house. The people were armed with dirks, and weapons of that sort; some with pistols. We then went to Burke's. We did not find him at home. As I was coming from Burke's house to my father's I was stopped by a policeman on the Ladies'-bridge, and taken to the Town-hall. I have seen Booker at these meetings, I think on the Friday."

Cross-examined: I took a promise of secrecy. I remember the terms of it: "Will you do all that lies in your power, even to the loss of your own life, and the shedding of the blood of the tyrants?" That was the first part. The person replies, "Yes." The second part was, "I do most solemnly and sincerely promise, in the sight of Almighty God, and the assembly here present, that I will assassinate any one who shall betray the secrets of this meeting, and bear assassination if I should betray." This was what I said; I revealed these secrets, but not till I was taken as a prisoner. I consider the oath I have taken to-day binding on my conscience. The witness was further cross-examined with a view to show that he was unworthy of belief.

Several other persons were subsequently called, whose testimony was corroborative of the statements which had been made, and the jury having been addressed by the learned counsel for the several prisoners, a verdict of "Guilty" was returned.

On the following day John Clayton, John Marshall, Thomas Penthorpe, and Joseph Bennison, pleaded guilty to an indictment charging them with a seditious conspiracy to procure arms and disturb the public peace in the town of Sheffield, on the 12th of January; and William Martin was convicted of uttering certain seditious words in the room in Figtree-lane.

On the 18th of March the trial of the conspirators in custody for the affair at Bradford took place.

Robert Peddie, William Brooke, Thomas Drake, James Holdsworth, and Paul Holdsworth, were put to the bar charged with a seditious conspiracy to oppose the law.

The most important evidence in this case was also that of an accomplice, named James Harrison; and his testimony showed the implication of all the prisoners in a plot to attack and burn the town. Peddie, who with Marsden had come from Scotland, was to assume the whole command; and it was agreed, that arms should be procured and other means taken to oppose the constabulary and military forces. The statement of the witness as to the arrangement for the attack was as follows:—

"They were to meet at the Green-market, as near two o'clock as possible, but not later. When they got to the Green-market, they were to take possession of the Bazaar and the Piece-hall for ammunition, and the News-room was to be the depôt for the men. Peddie said they would soon set the colliers to work, and make holes through the walls of the News-room, to put the cannon through; and they were to get food and clothes. After they had done with Bradford they were to take the cannon and the baggage-carts with shoes, clothes, and provisions, and go to Dewsbury. 'We shall gain strength,' he said, 'as we go; if we have five hundred in the morning we shall have two thousand at night.' From Dewsbury we

Digitized by Google

were to make our way up to London. I went to the Green-market a little after two o'clock. Peddie was there; George Flynn, Isaac Holloway, and Paul and James Holdsworth. There were near thirty; some had guns, some pistols, some pikes. Peddie had a belt with a pistol and dagger. Peddie asked if I had seen Turner? I said I had not. Peddie said 'I don't know what the man is doing to be so much out of his time. I have had possession of the Green-market near half an hour. We have got two watchmen prisoners,' and he pointed to the shed. I went across the market to look at the watchmen. I saw Brook that night at the New Inn, after I left the market. He was with another man, coming into the town. He returned in about ten minutes. He asked me to take a walk through the town, and see what was going on. On the way to the Court-house we met some foot-soldiers; and at the Court-house the cavalry were coming out of the yard. Brooke said 'It is a plain proof we're deceived, for the magistrates know as much about it as we do ourselves.' We went down towards New-street. We saw some people in the distance. Brooke said, 'I have something about me; if these are constables I shall be taken.' We were stopped, and Brooke was taken into custody. They searched me, and let me go. I saw Paul Holdsworth on the Sunday evening, about nine o'clock, in Nelson-street. I know Smith, an orange-seller. He lives down a passage leading out of Nelson-street. Holdsworth was going there; he had something in his hand like a brush-handle, about six feet long. He was one of the sentries over the watchmen in the shed. James Holdsworth was in the Green-market. He had a spear."

Other evidence was adduced, showing the intention of the Chartists to be to secure the town; and that they had gone fully armed for the purpose of attaining their object. Several of the witnesses admitted that they were parties to the design, and that they were taken into custody; but were subsequently induced to make a statement of the circumstances within their knowledge.

For the defence it was argued that the whole story related, bore the character of fabrication; and that none of the expressions imputed to the prisoners, at all warranted the jury in coming to a conclusion that they were guilty of sedition.

The jury, however, found a verdict of "Guilty." At the conclusion of the assizes, the learned judge passed sentence upon the prisoners who had been convicted:—

Samuel Holberry was sentenced to be imprisoned in the jail of Northallerton for four years, and at the expiration of that period to be bound, himself in 50*l.*, and to find two sureties of 10*l.* each, to keep the peace towards her Majesty's subjects. Thomas Booker, to be imprisoned at Northallerton for three years, and to be bound, himself in 30*l.*, and to find two sureties of 10*l.* each. William Booker, his son, to be imprisoned two years at Northallerton, and to be bound in his own recognizance in 20*l.*, to keep the peace for two years. James Duffy, three years in Beverley jail, and at the expiration of that period to enter into his own recognizance of 20*l.*, to keep the peace for three years, and to find two sureties of 10*l.* each. William Wells, one year's imprisonment, and at its expiration to enter into his own recognizance of 20*l.* to keep the peace for one year. John Marshall, Thomas Penthorpe, and Joseph Bennison, otherwise Ben-

Digitized by Google

son, convicted of riot, were sentenced to two years' imprisonment at Northallerton, and to enter into their own recognizances of 20*l.* to keep the peace for two years. William Martin, for using seditious language was sentenced to twelve months' imprisonment, without hard labour, in the jail at Northallerton.

Robert Peddie, William Brooke, Thomas Drake, and Paul Holdsworth, for conspiracy, with intent to create riot at Bradford, were sentenced—Peddie to be imprisoned in Beverley House of Correction for three years, and to enter into his own recognizances for three years, in the sum of 30*l.*, and find two sureties of 10*l.* each. William Brooke, three years' imprisonment in Northallerton House of Correction, and to enter into his own recognizances of 30*l.* to keep the peace. Thomas Drake, to be imprisoned in Beverley jail for eighteen months, and enter into his own recognizances of 30*l.* for three years. Paul Holdsworth, three years in Northallerton House of Correction, and the same recognizances as Brooke.

John Walker, Joseph Naylor, John Riding, Phineas Smithies, Hutton, and Rishworth, convicted of riot at Bradford, were sentenced to imprisonment; Walker, Naylor, Riding, and Rishworth, for two years in Wakefield House of Correction, and to enter into their own recognizances of 30*l.* each, and Hutton and Smithies eighteen months in the same place, recognizances 30*l.*

In the course of the assizes many other convictions for sedition, for seditious publications, and other offences of a like character, took place.

At Monmouth, Henry Vincent and William Edwards, persons who were long notorious for their opinions—the former of whom (as we have stated) had already been convicted of an offence of a similar description, were indicted for having conspired with John Frost, to subvert the constituted authorities, and to alter, by force, the constitution of the country.

The trial came on before Mr. Baron Gurney, on the 20th of March; the case for the prosecution being conducted by Mr. Serjeant Talfourd, Mr. Richards, and Mr. Whateley.

Several witnesses were called, whose testimony was adduced with a view to show the nature of the language employed by the prisoners. Vincent was the principal orator; but he was proved to have been supported by Edwards and Frost. The tenor of his speech was condemnatory of the whole course of proceeding of the government, with threats against both Whigs and Tories; and it contained a declaration of the intention of the Chartists to rise on the 6th of May in the year 1839 (the meeting being held on the 1st of January), if the charter was not granted before then, and send the ministers to "look for lodgings at New York."

The jury delivered a verdict of "Guilty;" but in consideration of the long imprisonment which the defendants had already undergone, recommended them to mercy.

They were sentenced, Edwards to fourteen months', and Vincent to twelve months' imprisonment.

At Liverpool, on the 6th of April, R. W. Jackson, R. J. Richardson, William Butterworth, and Bronterre O'Brien, were tried before Mr. Justice Coleridge, on an indictment charging them with sedition.

The meeting at which the sedition was alleged to have been spoken, was held on the 23rd of April, 1839, at Batty's Circus, Manchester,

Digitized by Google

pursuant to a placard which was posted through the streets. The four defendants were there; and their speeches sufficiently indicated their political opinions to be of the most violent description. Various expressions were proved to have been used, by which the adoption of force was recommended, and the jury found the prisoners "Guilty."

In the course of the ensuing three days, several other convictions for sedition took place, at the same assizes, before the same learned judge. Many prisoners, whose cases presented circumstances of a mitigating character, were allowed by the government prosecutors to be discharged upon recognizances to keep the peace; while others, who had been convicted of being parties to riots, which had occurred at Wigan, Bolton, and Ashton, were allowed to plead guilty, with a view to the mitigation of their sentences.

On the 9th of April, Mr. Justice Coleridge passed sentence upon the prisoners.

Richardson and Butterworth, who had long been known as connected with the Chartists and their proceedings, were sentenced to be imprisoned in Lancaster Castle for nine months, and at the expiration of that time, to enter into their own recognizances in 100*l.*, with two sureties in 50*l.* each, to keep the peace for three years. Upon Jackson being placed at the bar, his lordship said "that it was a melancholy thing to find a person of his station in society, attending such meetings as those which had been referred to in the evidence. He was a minister of religion, presiding over its services in a chapel where Christians met for sacred worship; and yet he was found at a public meeting, using language which one would have rather expected from the lips of one who had been a follower of the camp, than a member of a sacred profession. He had talked, if a constable came to his house to search for arms, of presenting to him the sharp end of the pike, the muzzle of the gun, and what came out of it. He must, in passing sentence, consider his station, abilities, and power of injuring society." He was ordered to be imprisoned for eighteen months, and to enter into his own recognizance of 500*l.*, with two sureties in 250*l.* each, to keep the peace for three years.

Mr. O'Brien was next brought up. He was one of the most popular leaders of the day, and was notorious for the active part which he had taken throughout the whole of the proceedings of the Chartists. Upon his being informed that a sentence of imprisonment would be passed upon him, he implored the court rather to send him out of the country for life, declaring that he had no hope of England in its present state. His sentence was similar in its terms to that of Mr. Jackson.

Mr. Jackson was then sentenced to six months' further imprisonment on a second indictment against him, and the following prisoners received the judgments appended to their names for their participation in the mischievous events which had recently before occurred.

George H. Smith, to be imprisoned in the House of Correction at Preston for eighteen months, and to enter into his own recognizance in 500*l.*, with two sureties in 100*l.*, to keep the peace for three years. John Kaye, six months; recognizances in 200*l.*, with two sureties in 50*l.* Christopher Doyle, nine months; recognizances in 300*l.*, two sureties in 100*l.* each. William Barker was sentenced to eighteen months' imprisonment in the House of Correction at Kirkdale, with hard labour. Frederick Davidson,

Digitized by Google

six months, with hard labour. Samuel Scott, eight months' imprisonment; to enter into his own recognizance in 100*l.*, with two sureties in 50*l.* each, to keep the peace for three years. Charles Morris, twelve months' imprisonment; recognizances in 100*l.*, with two sureties in 20*l.* Daniel Ball, eighteen months' with hard labour; similar recognizances. Peter Murdin, six months' imprisonment with hard labour. William Willoughby, three months' with hard labour.

FEARGUS O'CONNOR, ESQ.

CONVICTED OF THE PUBLICATION OF A SEDITIOUS LIBEL.

THE trial of Mr. Feargus O'Connor came on at York, before Mr. Justice Coleridge, on the 17th of March 1840, when the Attorney-general appeared to conduct the prosecution on the part of the crown. The information charged the publication of two seditious libels in a newspaper called the "Northern Star," of which the defendant was proprietor and editor, upon the 13th and 20th of July in the preceding year.

The Attorney-general, in opening the case to the jury, read the libels which were complained of. The first consisted of a report of a speech made by the defendant himself, at a meeting which, in the "Northern Star," was designated "The Rochdale Defence Fund Meeting." This speech was highly inflammatory in its terms, and was directed against the government. Mr. O'Connor congratulated the people upon the successes which they had already achieved, but recommended them to maintain the ground on which they stood, and not to listen to the propositions of the government. He recommended the employment of physical force in opposition to any attempt to put down their cause by force; and having entered into a long tirade against the expenses of the government, and the vast sums of money which were paid to the bishops and lawyers, and the disparity between this expenditure and that which was incurred for the paupers of the country, he said, that all he contended for was, that these immense disparities should no longer exist—that the poor man should have his store-house, and his cottage should be his sentry-box—that he should have, as his friend Bussey recommended, a flitch of bacon on one side of the chimney, and a musket on the other, so that the musket might defend the bacon. He would never descend to catch a fleeting popularity by going too far; but the moment they were provided with arms, they would be in a condition to defend those rights which were still left to them, while government would be induced to give up those of which they had been deprived. In their progress towards political emancipation, they had three stages to go through—to create, to unite, and to direct. They had created opinion, and they were united in it, and, when it was properly directed, their victory would be complete. The learned Attorney-general having urged that these passages contained strong incitements to insubordination and violence, proceeded to refer to a notice of another meeting at Newcastle in the same paper, where similar doctrines were promulgated, which were approved of and supported by the editor. He then proceeded to the paper of the 20th of July, which contained the report of a speech

Digitized by Google

made by Mr. William Taylor at Manchester, who strove, from various expressions in the Bible, to show the justice of the cause which they supported. In the course of his address he said:—"What it is for a people to be in captivity, I need not tell you; that you are captives I need not tell you. Though they (Parliament) have given twenty millions the emancipation of black slaves, they would not give twenty shillings for the emancipation of the white slaves. I need not tell you that you are slaves, slaves bearing a great burden, slaves bearing a great load, slaves enduring great toil, slaves under the most oppressive system of government, and slaves that alone must work out their own freedom. Now if you ask, 'What shall we do?' I will tell you what God says you should do, and you will find that in the second verse of the fifteenth chapter of the book of Jeremiah. The prophet says, 'And if the people inquire What shall we do? whither shall we go? thou shalt say to them, Thus saith the Lord: Those that are for death, to death; such as are for the sword, to the sword; such as are for the famine, to the famine; and such as for the captivity, to the captivity.' What are we to do, then? (Loud cries of 'Fight! fight! fight!') I'll tell you what we are to do. The people must become united together in one mind. Let not religious sentiments divide your interests. Whatsoever your religious sentiments are, look for peace here and not so much up yonder; look for happiness here as well as in the future. Look for comfort here as well as in days to come. Look for happiness in your cottage, by your fire-sides, and happiness with your families; look to the lessening of the hours of labour; look for the overthrow of the present wretched system. Your will will be God's will, and God's will is, that his people should be free. What are we to do? We are to be free, and no mistake; we are to be free, whatever the cost; we are to be free, however great the difficulty to accomplish it; we are to be free, though we wade through streams of blood. Though we pass through streams of trouble, we are to be free by the best means we can; we are to be free, by the only means we have left. Now, the people may ask, What are the means left? I am not going to blink the question; I'm not going to teach you a doctrine I don't believe myself. We will go back again to the old book, and I will ask you, or any minister, whether we read, in either ancient or modern history, of any nation in bondage becoming free without the use of physical force?" In the same report was a speech of Mr. Bronterre O'Brien, which was spoken of as a long and eloquent address, and in which doctrines of a similar kind were broached. The latter part contained an incitement indirectly to interfere with the administration of justice, and to put an end by force to judicial proceedings. "He had some news to tell them, not that he told them to do the same; only having heard it, there was surely no more harm in telling news than selling it. Now the people of Newcastle had decided upon adopting a certain plan during the assizes, not that he advised the meeting to follow it—no, not by any means. When their representatives were brought up for trial, unless contrary instructions came down from the Convention, the brave men in the north were determined on that day to have a universal strike; and, assembling round the trial-house in their mighty strength, would send word to the judge that they were standing outside waiting for an acquittal. The effect would be wondrous. He did not advise them

Digitized by Google

to do so, because it would be against the law, and they knew how illegal it was. He had now an important question to ask them; were they up to the mark? (We are!) By that he meant, were they provided with all legal and constitutional appliances, wherewith to bring these cursed profit-mongers to their senses? (Yes!) He could tell them no plainer, but if they did not by this understand what he meant, why they would soon. He bid them cast aside their braggadocias, and by fierce looks and something shining over their chimney-pieces, to be determined; for until something in earnest like this were done, the government, who knew all about them through their spies, would take advantage of their want of preparedness, they having already cannons of enormous calibre, fire-arms, &c., manufacturing in large quantities. He was determined to stand by his constituents to the death, reduced though he was by exertion in the public cause, and, if needs be, die in the last ditch in their defence."

The necessary evidence as to the publication of the libels, and the proprietorship of the newspaper having then been given, Mr. O'Connor was called upon for his defence. He addressed the court at great length, and some demonstrations of applause from the auditors were heard at the commencement of his speech, but immediately silenced. "He said he thanked the Attorney-general for this prosecution. His character had been aspersed for seven long years, and the Attorney-general had given him an opportunity of defending it. He came under great disadvantages before a Yorkshire jury. He had been represented as a spoliator of property, as an advocate of physical force, as inciting the poor against the rich. He would be able to disprove all these charges, and would show from sources they could not dispute, what his real sentiments were. There was nothing in his own speech, garbled as it was, that could be a basis for these accusations. His true sentiments were to be found in the leading articles of the paper, and to them and to his conduct throughout life he would appeal, to show that he entertained no such doctrines. It was not he, or those who acted with him, who had given rise to physical force Chartism. It was the act of the Attorney-general (with whom he had once sat in the House of Commons), and of his party, who had turned the moral force Chartist into the Chartist advocating the use of physical force, and drove them to armed meetings by putting down the meetings where they 'morally' discussed their grievances. In the present case the intent was everything; without the intent alleged there was no libel; and it was to be remarked, that if the advice said to be given was so pernicious, it had not been acted on at Newcastle. The course of justice was unimpeded, and the persons who had used these speeches were acquitted. It was absurd to say he adopted and approved of the doctrines in these speeches, because in the report they were interspersed with cheers. He never said that arms give rights, but he was of opinion that rights gave arms, and arms protected them. He complained that great offenders had been passed by, while he was prosecuted. He complained of the hardships imposed upon him by the mode of proceeding *ex officio*, the abuse of which had been one of the causes of the revolution of 1688. It was going to the jury with the opinion of the Attorney-general against him, that he had been guilty of an offence, and it gave the Attorney-general the benefit of the last word. Mr. O'Connor quoted a number of authorities as to the law of *ex officio*

Digitized by Google

informations, and proceeded to read at length a great number of passages from the leading articles of the "Northern Star," and from his speeches reported there, to show that he had always opposed the doctrine of physical force, making comments as he proceeded on the conduct of Mr. O'Connell, on the Whigs, the Attorney-general, the language of the London morning papers, Mr. Muntz of Birmingham, physical force, moral force, his own character, and a great variety of other topics. His speech lasted nearly five hours, and he concluded by declaring that he was, and always had been, a Chartist, and determined to have all the five points, but peaceably. He asked from the jury but justice; he asked not for mercy; and if their verdict should consign him to a dungeon, he would at least go there with his principles unsullied.

The Attorney-General having addressed the jury in reply, a verdict of "Guilty" was returned, but judgment was respited until the following term, in consequence of an application by the defendant on the ground that he should be able to produce affidavits in mitigation.

The illness of Mr. O'Connor prevented his appearing in the Court of Queen's Bench, to receive judgment until the 11th of May. Affidavits were then put in disclosing grounds for the mitigation of the sentence of the defendant, and tending to absolve him from the imputation of having excited the people to acts of violence. Mr. O'Connor subsequently also addressed the court, and was followed by the Attorney-General in reply.

The judges having then consulted together for a short time, Mr. Justice Littledale, as senior puisne judge, pronounced sentence. After stating the nature of the prosecution and the evidence in favour of it, he said that though the defendant might argue that his speeches and writings had never excited people to physical force, still no one could doubt that these speeches and writings had that tendency. The law could not suffer publications of this sort, so dangerous to the peace of society, to be made with impunity. The sentence of the court on the defendant was, that he should be imprisoned in the Castle of York for eighteen calendar months, and that he should then find security for his good behaviour for the space of two years, himself in 300*l.* and two sureties in 150*l.* each.

Mr. O'Connor was in consequence removed to York Castle, and upon his arrival there was placed upon the felons' side of the prison. Strong arguments were employed by his friends against this course being adopted; and it was urged, that having been convicted of a misdemeanour only, he should be removed to the debtors' side, where he would not be subjected to such hardships as those which he would experience in the place in which he was confined. Petitions to parliament were drawn up and presented, that Mr. O'Connor's quarters should be changed; but the members of the government declined in any way to interfere with what was in reality a mere internal arrangement of the jail, for which the visiting justices alone were answerable.

In quitting the subject of Chartism, we may present our readers with what we believe to be a correct statement of the number of persons, who, since the month of January 1839, have been imprisoned by reason of their connexion with the illegal proceedings taken with a view to the adoption of their principles. Of the persons thus convicted there were about half-a-dozen licensed victuallers, one barrister (Mr. Feargus O'Connor), one magistrate

Digitized by Google

(Mr. Frost), and one surgeon (Mr. Peter Murray M'Douall). The remainder were, with a few exceptions, all poor and uneducated men.

ENGLAND, 496.

	No. confined.
Chester, County Jail	29
Durham, County Jail	3
Kent, House of Correction	1
Lancaster, Lancaster Castle	5
County Jail and House of Correction, Kirkdale	156
House of Correction, Preston	3
Lincoln, Lincoln Castle	1
Middlesex, House of Correction, Gilt-spur-street	1
Ditto, Coldbath-fields	13
Jail of Newgate	3
Westminster Bridewell	13
Monmouth, County Jail	63
House of Correction, Usk	4
Northumberland, House of Correction, Newcastle	19
Nottingham, County Jail	23
House of Correction, Southwell	12
Somerset, County Jail, Ilchester	3
Surrey, Queen's Bench Prison	2
Carry forward,	354

	No. confined.
Brought forward,	354
Warwick, County Jail	28
Wilts, County Jail	8
House of Correction, Devizes	1
Worcester, Jail and House of Correction	3
York, York Castle	69
E. Riding, House of Correction, Beverley	2
N. Riding, House of Correction, Northallerton	12
W. Riding, House of Correction, Wakefield	19
WALES, 63.	
Brecon, County Jail and House of Correction	12
Glamorgan, House of Correction, Swansea	1
Montgomery, Jail and House of Correction	50
Total	559

JAMES OWEN, GEORGE THOMAS, *alias* DOBELL, AND WILLIAM ELLIS, *alias* LAMBERT.

CONVICTED OF MURDER.

THE case of these prisoners is scarcely excelled in brutal atrocity by any of those by which it is preceded.

The prisoners were tried at the Lent Assizes at Stafford on the 16th of March 1840, on an indictment which charged them with the wilful murder of Christina Collins, on the 17th of June 1839, at the parish of Rugeley, in the same county.

On the part of the prosecution a great number of witnesses were called, from whose evidence the circumstances appeared as follows:—

The deceased, Christina Collins, wife of Robert Collins, was by business a dress-maker, and had resided for some time at Liverpool, supporting her husband, who found it difficult to obtain employment there, by her needlework. Her husband being very anxious himself to obtain work for their mutual support, resolved upon a journey to London. He accordingly left Liverpool, and arriving in London was so fortunate as presently to meet with a situation according to his wishes. Upon this he wrote a letter to his wife at Liverpool, inclosing her a sovereign to assist her upon her journey, that being all the money he could command, and requesting that she would immediately come to him in London. She left Liverpool, and having little money beyond the sovereign received from her husband, took her passage by one of Messrs. Pickford and Co.'s fly-boats, as being the cheapest conveyance to London. The three prisoners, with a boy named Musson,

Digitized by Google

had the care of the boat, Owen being the captain. Deceased entered the boat at Preston Brook. It was proved that the boat arrived at Stoke-upon-Trent, in Staffordshire, at noon on Sunday the 16th of June, and left that place again about four o'clock the same afternoon, the deceased being then on board. The boat proceeded thence to Stone, where it arrived about eight the same evening. At Stone the deceased complained to a check clerk of the canal company that the prisoners were becoming inflamed with liquor, and said, that she was afraid of going on in the boat with them. The deceased, however, went on with the boat from Stone, having got out there and walked by the towing-path side some distance. About dusk they were met by another boat, when some gross language in reference to the deceased was used by one of the prisoners, and a short time afterwards they were again met, and the prisoners used expressions in reference to their intentions as to the deceased of too disgusting a nature for publication. About twelve o'olock on Sunday night the boat arrived at a place called Hoo-mill-lock. By the side of the lock was a house occupied by the lock-keeper and his wife. They were both awoke at midnight by loud cries of distress, and immediately opened their bed-room window, when they perceived the boat in question in the lock. The deceased was in the boat, and upon the prisoners being asked who she was, they replied that she was a passenger, and that her husband was in the boat with her. Proceeding a little farther, they came to a place called Colwich-lock, and after they quitted that place the deceased was not seen alive. The body of the deceased was found in the canal at a part of the canal known as Brindley's-bank, between Colwich-lock and Rugeley, and about three miles from the former place. The prisoner Owen appeared in great alarm when seen by a woman early on Monday morning. He stated that a passenger was lost and must have drowned herself, and he believed that she must be deranged, for that she had constantly been calling out, "Collins, Collins, oh, my Collins!" The arrival of the boat at Fazeley at six o'clock on Monday morning was proved, when, in consequence of suspicions against the prisoners, they were taken into custody and examined. Before any questions were asked them about the deceased, they had abused her with oaths and foul language, saying, that if she had chosen to drown herself they could not help it. The cabin of the boat was searched, and in it were found the bonnet and shoes of the deceased, the bonnet being very much crushed.

The remaining evidence against the prisoners consisted of a declaration made by Owen, on his apprehension by Harrison, the headborough of Fazeley, to whom, in answer to an observation that the deceased had been found in a very shallow part of the canal, he intimated that she was dead before she reached the canal; and a similar confession, attended with a detail of other circumstances, which he made to a fellow prisoner named Orgill, while in custody in Stafford jail.

The prisoners, it appeared, had been tried at the summer assizes at Stafford in the year 1839 for the rape upon Mrs. Collins, a bill of indictment for the murder having then been also preferred and found. The prosecution for the rape rested upon evidence similar to that which we have just detailed, added to the testimony of two surgeons, who swore that the capital offence of violation had been committed, apparently with great barbarity; but the jury deemed the proofs adduced insufficient to warrant

Digitized by Google

them in pronouncing a verdict of conviction. Upon the indictment for the murder being then proposed to be proceeded with by the learned judge, an application was made on the part of the prosecution for the postponement of that trial until the next assizes, on an affidavit, which stated that there were grounds for believing, that further evidence of a very important character might then be produced. This evidence was the testimony of a man named Joseph Orgill, who had been just before convicted of bigamy, and sentenced to eighteen months' imprisonment, and who had received from Owen a narrative of the circumstances attending the commission of the crime upon the deceased woman. The application was immediately acceded to; and upon representations at the Home Office, a free pardon had been granted to Orgill to enable him to become a competent witness upon this investigation.

Orgill was now called, and he stated that he was a prisoner in Stafford jail at the same time with the prisoners. On Sunday, the 21st of July, he attended the Jail Chapel in company with them, and slept with the prisoner Owen at night. After witness and prisoner Owen were in bed they talked of the crimes with which they stood charged, when Owen told witness he knew he should be hung, from the lesson taken from the Old Testament read in the chapel in the morning, which was concerning the hanging of Saul's sons. Owen then made a statement to witness, speaking of the charge for which he and the others were in custody, informing him that they (the prisoners) had some whiskey on board the boat, which they stole and drank; that they then used the woman roughly, and she got out and walked on the towing-path. The greater part of the rest of the statement is unfit for publication; but it amounted to an admission, that the capital offence charged in the former indictment had been committed upon the unfortunate woman by all three of the prisoners, and that her struggles to escape were so great that, in their belief, she died, and they then threw her overboard.

The supposition of the prisoner as to the cause of death, however, was now clearly contradicted by a surgeon, who stated that there could be no doubt that the deceased had come to her death by drowning.

On behalf of the prisoners every effort was made by the counsel who were employed by them to negative the circumstances of suspicion proved against them, but in vain, and a verdict of "Guilty" was returned by the jury after mature deliberation.

Mr. Baron Gurney, before whom the prisoners were tried, immediately passed upon them the sentence of death, pointing out to them the awful situation in which they were placed by the dreadful crimes of which there could be no doubt they had been guilty, and warning them that no prospect of mercy in this world could be held out to them.

For a considerable time after their conviction, neither of the wretched convicts exhibited the slightest degree of compunction or regret for their past offences. They persisted in making repeated declarations of their innocence; and so far did they carry their asseverations that a respite was granted from the day first named for their execution, to the 18th of April, in order that full inquiries might be made at the Home-office into the circumstances attending their guilt.

This investigation tended but to confirm the impression of the justice of

Digitized by Google

the conviction and sentence on the two prisoners, Owen and Thomas, (*alias* Dobell); but some facts which were elicited induced the grant of a further respite in the case of Ellis.

On the day before execution, Thomas became in some degree softened, and he and Ellis, who was not aware of the distinction drawn in his favour, made some disclosures as to the mode of life of persons of their class, of the most frightful description. The scenes which they described as of daily occurrence amongst the boatmen were dreadful. Thieving was said to be an accomplishment reckoned highly valuable; and men who possessed the greatest powers of pilfering the cargoes, by reason of their adroitness, were described to be invariably selected by the captains of the barges as best fitted to undertake the employment tendered to them. Ale, spirit, or other liquids, were abstracted from the casks by means of syphon pumps, which were in common use in the boats; and drunkenness being the common and necessary consequence, the boatmen were stated to be prepared for the perpetration of offences of the very worst description.

On the morning of the execution the three prisoners were again visited by the chaplain, when they appeared much more firm than they had before been, and perfectly ready to meet their execution. They all asserted that they knew nothing of the manner in which their murdered victim met her death, as they were all intoxicated at the time.

The drop had been erected at an early hour in the morning in front of the county prison. About twelve o'clock the three culprits were summoned from their cells to the chapel of the prison, in order to partake of the sacrament. Owen and Thomas were supplied with prayer-books, which they held with an unwavering hand, and repeated the responses in an audible voice. Ellis, not being able to read, had no book. The chaplain went through the service in a manner the most impressive and affecting, though his utterance occasionally was almost overpowered by the strength of his emotions. At its conclusion Owen and Thomas were conducted to the press-room. Ellis remained, and was then informed by the governor, for the first time, that Her Majesty had been pleased to respite his execution. The governor communicated this information in a most feeling manner, and Ellis received it in a very proper spirit: he wept much, and appeared thankful for the mercy extended to him. At his own request he was conducted to the press-room to take leave of Owen and Thomas. The governor accompanied him, and made known to the other two that a further respite had been received for Ellis, and that he would not be executed with them. On this communication being made, it was difficult to ascertain which of the men felt the most acutely. Ellis burst into tears, and taking each of his former associates by the hands, kissed them most affectionately, and exclaimed repeatedly, "God bless you, dear boys!" This conduct of Ellis appeared to overcome the feelings of both the men, particularly Owen, who wept bitterly.

The period of execution was now announced by the solemn sound of the prison bell. Soon afterwards the mournful procession moved from the press-room to the lodge of the county prison. The men walked with a firm step, and ascended the steps of the drop without assistance. The executioner immediately placed the ropes round their necks, shook hands with them, and as the chaplain pronounced the words, "In the midst of life we are in death," the fatal bolt was drawn, and the wretched men ceased to live.

Digitized by Google

The concourse of persons who witnessed the execution was almost unprecedentedly great. It was supposed that there were nearly ten thousand persons present. Every spot, remote and near, from which a view of the drop could be obtained, was occupied—walls, trees, roofs of houses, &c., being fixed upon by many as convenient places from which to view the scene. The three thoroughfares approaching the jail were densely crowded as far as the sight could reach, and the neighbouring gardens were filled with people. No peculiar feeling was displayed when the men made their appearance on the drop; though when it fell the females, who were very numerous, gave partial vent to their emotions.

The punishment of the prisoner Ellis was subsequently commuted to transportation for life.

WILLIAM RACE.

CONVICTED OF MANSLAUGHTER.

THE case of this prisoner affords a remarkable proof of the folly of practical jokes, and the mischievous results which may proceed from them.

Race was indicted at Bury St. Edmunds, on Monday the 30th of March 1840, for the manslaughter of Thomas Buck. It appeared that the prisoner was a vendor of hot-spice gingerbread at fairs; and the deceased was a well-known itinerant son of Thespis in that part of the country, who presented the primitive drama in all its original simplicity to the wondering rustics. Sometimes, when "deep tragedy" failed in its natural effect upon the popular mind, Buck, always fertile in the resources of his art, though, perhaps, not overflowing with other resources, would have recourse to the ready expedient of producing a "sensation" which is called by the learned "practical joking," and by the vulgar "larking." One of the rural actors, not in Buck's "legitimate drama," but in his "larks," was the hot-spice gingerbread artist, whose cakes and "nuts" were not more spicy than his jokes. On the evening laid in the indictment, the theatrical booth, with its uncovered stage in front, had been erected on the classic ground of Felsham, celebrated for its fair—the *corps dramatique* appeared on the stage in front of the booth, and, in the flaming robes and sweeping drapery of the tragic muse, endeavoured to attract the attention of the motley crowd, who were just then busily intent upon the performances of a neighbouring juggler, whose comic grimaces and fantastic gambols they greatly admired. Under these circumstances, the solemn pomp and tragic splendour of Buck's stage, paraded as it was by heroes of herculean proportions and stentorian voices, and by heroines of matchless grace and disdainful beauty, lost its powers of attraction—it did not "draw" an audience,—and it was necessary, for many reasons, that an audience should be assembled. The gingerbread baker, who, perhaps, had cause to take an interest in the finances of the company, and who had frequently before, as was stated, enacted the part of one of the *dramatis personæ* of a "lark," saw that this was the moment when a decisive blow ought to be struck to detach the admiring crowd from the too successful juggler, and bring them to Buck's theatre by the attractive influence of some novelty. He, therefore, with the best intentions towards Buck and his company, went up to a "property-

Digitized by Google

A Tragical Tale

1851

London, Published by Thomas Tegg Cheapside

Digitized by Google

Digitized by Google

man" who had a gun in his hand, took it gently from him, and asked him whether it was loaded; the other told him that it was loaded with powder and wadding only, upon which the manufacturer of gilt gingerbread said, "I will have a lark with Buck, and bring people on the stage." Having said this, he ran up the steps of the outside stage, presented the gun at Buck, and discharged it within two feet and a half of his body. Buck reeled, and fell into the arms of one of the orchestral performers; and the spectators, thinking the whole thing an excellent piece of acting, rapturously applauded. But alas! it was no acting at all. The wadding had penetrated his side, and inflicted a rupture of the heart, of which he almost instantly died. Buck's "poor play of life" was over, and the curtain fell that evening on a deeper tragedy than the company had performed for many a year.

An excellent character for kindness and humanity was given to the prisoner by many persons, which the learned judge took into account in sentencing him, upon being pronounced "Guilty of Manslaughter" by the jury.

After some admonitory remarks upon the danger and criminality of indulging in "larks" and practical jokes with fire-arms, his lordship ordered him to be imprisoned for one month.

JAMES LIGHTFOOT, AND WILLIAM LIGHTFOOT.

EXECUTED FOR MURDER.

THESE unhappy men were labourers, and were born and brought up in the neighbourhood of the spot, where they committed the inhuman and premeditated murder, for which their lives were eventually taken away by the executioner.

They were tried at Bodmin, in Cornwall, on the 30th of March, 1840, before Mr. Justice Coltman, on an indictment, which charged them with the wilful murder of Mr. Nevill Norway, a timber merchant, residing at Wadebridge, in the same county, on the 8th of the preceding month of February.

The case excited the greatest interest in the remote district in which it occurred, as well from the high estimation in which the unfortunate deceased gentleman was held, as from the circumstance of his murder having been effected by two brothers; each of whom, since their apprehension, had sought to fix the guilt of the transaction on the other. At an early hour in the morning on which the trial was appointed to take place, every corner of the Court-house was crowded with persons, many of whom had travelled a considerable distance, in the hope of obtaining a glimpse of the culprits.

At nine o'clock in the morning the learned judge entered the court, and the prisoners were then immediately placed at the bar. They betrayed little agitation at the awful position in which they were placed, and surveyed the assembled multitude with great coolness and self-possession. Up to the time of their trial, they had been kept apart in the jail in which they had been confined; and they now observed each other with evident mutual dislike and mistrust.

Digitized by Google

The circumstances of the case, as they were proved on the trial, were as follows:—

Mr. Norway was a highly respectable timber and general merchant, residing at Wadebridge, about nine miles from Bodmin. In the course of his business he was in the habit of visiting the different markets in the neighbourhood, and on the 8th of February, he attended the market at Bodmin. About four o'clock that afternoon he had his purse in his hand, and was in the act of paying some money, when the prisoner, William Lightfoot, walked close by him, and must have seen what he was doing. Shortly before ten in the evening, he left Bodmin on his grey horse, accompanied by another person, who, however, left him, after they had proceeded about three miles on the road, and Mr. Norway was observed to pursue his course towards Wadebridge. A farmer of the neighbourhood was shortly afterwards going to the same village, and when about two miles from it he saw a grey horse on the road, saddled, but without a rider. He tried at first to overtake it, but the horse struck into a gallop, and he gave up the race; but his curiosity was excited, and upon meeting some men on the road, and making inquiry, they told him they thought it was Mr. Norway's horse. This induced him to call at Mr. Norway's house, and he found the horse standing at the stable gate. The servants were called out, and spots of blood were found upon the saddle. A doctor was immediately summoned, and two of the servants sallied forth on the Bodmin road, in quest of their master. It may be remarked that this road was extremely lonely, and very hilly; and altogether presenting a most favourable place for the commission of any atrocious act. The servants pursued the course of the road, and having got about two miles, one of them perceived something shining in a small stream of water, or rivulet, on the right hand side. This led to a further examination, and it proved to be the body of their unfortunate master, lying on his back in the stream, with his feet towards the road, quite dead.

The body was directly placed on the horse, and conveyed home, and Mr. Tickle, the surgeon, proceeded to examine it. He found that the deceased had received injuries about the face and head, produced apparently by heavy and repeated blows from some blunt instrument, which had undoubtedly been the cause of death. A wound was discovered on the chin, into which it appeared as if some gunpowder had been carried in its infliction; and the bones of the nose, the forehead, the left side of the head, and the back of the head, were fractured in a most frightful manner; severe lacerations of the flesh having been caused by the blows with which the injuries had been dealt. An immediate examination of the spot where the body of Mr. Norway was found, took place, and on the left hand side of the road a pool of blood was discovered, from which, to the rivulet opposite, there was distinctly visible a track, as if produced by some heavy body being dragged from one to the other. Around this spot were marks of footsteps, as if, in the language of one of the witnesses who was examined, there had been "a scramble" there; and at the rivulet there were also indications of a man having been there recently before. In the course of the subsequent search in the vicinity of this spot, it became obvious that two persons had been engaged in the murder, and that they had remained, as if on watch for their intended victim, pacing backwards and forwards, in an orchard attached to an uninhabited cottage close by. The hat

Digitized by Google

of the deceased was picked up immediately near the spot where the murderers' footsteps were distinguishable, and at a distance of about a foot and a half or two feet from the pool of blood, was picked up the hammer of a pistol, which appeared to have been newly broken off. Other appearances were observed, which gave clear indications that a terrible struggle had taken place; but at this time no circumstances transpired, which could in the slightest degree tend to cast suspicion upon any one.

Upon the pockets of the clothes of the deceased being examined, it became obvious that robbery had been the object of the attack upon him. His purse and money, and a tablet and bunch of keys, were found to have been carried off; and all efforts to find any of the missing articles in the neighbourhood of the scene of the murder proved ineffectual.

Every exertion was now made to discover the perpetrators of this diabolical crime, and large rewards were offered for evidence which should tend to point them out. Jackson, a constable attached to the London police, was sent for; and through his exertions, facts were elicited which distinctly showed that the prisoners were the men who were the real offenders. A man named Harris, a shoe-maker, was first brought forward, who recollected having seen the prisoners on the night of the murder, in the immediate vicinity of the brook where the body was found; and a man named Ayres, who lived next door to James Lightfoot, having suggested that every man, who was out late that night, should be made to account for his time, stated that he recollected having heard his neighbour, the prisoner, enter his house at a late hour; and having communicated something to his wife, which, although the partition between their houses was very thin, he could not hear, she and her child began to cry. This led to an examination of the prisoner's house, on the 14th of February, and a pistol was found, without a lock, concealed in a hole in a beam, running across the ceiling. The prisoner attempted to account for the pistol being broken, by saying, that he had done it in killing a cat; but his manner being suspicious, he was taken into custody.

He was directly carried before a magistrate, by whom he was remanded until the 19th of the same month; and on the 17th his brother William was also secured, in consequence of a conversation which he had had on the 14th, with a man named Vercoe, upon the subject of the murder; in which he had suggested that Ayres was the cause of his brother's apprehension, and that if his brother were punished, he must be so too, for that "they were both in it." He was also examined before a magistrate, and he directly made the following confession:—

"I went to Bodmin last Saturday week, the 8th instant, and in returning I met my brother James, just up at the head of Dunmeer Hill. It was just come dim like. My brother had been to Egloshayle Burlawn, to buy potatoes. Something had been said about meeting; but I was not certain about that. My brother was not in Bodmin on that day. Mr. Vercoe overtook us between Mount Charles turnpike-gate, at the top of Dunmeer Hill, and a place called Lane End. We came on the turnpike-road all the way till we came to the house near the spot where the murder was committed. We did not go into the house, but hid ourselves in a field. We did not see Mr. Abbott's waggon. My brother knocked Mr. Norway down. He snapped a pistol at him twice and it did not go off. Then he knocked him down with the pistol. I was there along with him. He was struck

Digitized by Google

whilst on horseback. It was on the turnpike-road between Pencarrow Mill and the directing-post towards Wadebridge; and it was last Saturday week. I cannot say at what time of the night it was. We left the body in the water, on the left side of the road coming to Wadebridge. We took something. It was money, in a purse; but I do not know how much. It was a brownish purse. There were some papers, which my brother took and pitched away in a field, on the left hand side of the road behind the house. They were pitched away at the head of the field into some browse or furze. The purse was hid away by me in my garden; and afterwards I threw it over Pendavey-bridge: the lower side of the bridge. My brother drew the body across the road to the watering. I threw away the purse last Friday. The contents of it were not examined before it was thrown away. We did not know who it was before we stopped him. When my brother snapped the pistol at Mr. Norway, Mr. Norway said 'I know what you are about, I see you.' We went home across the fields. We were not disturbed by any one. It was not above three or four minutes before we left him. The pistol belonged to my brother; I don't know whether it was broken; I never saw it afterwards; and I do not know what became of it. I never advised my brother to burn it; and I don't know whether it was soiled with blood. I did not see any blood on my brother's clothes; we returned together from the spot, crossing the river at Pendavey-bridge, and crossed Treraren fields over Treraren ground, across a field or two to Burlawn village. My brother then went to his house, and I went to my own house. I think it was handy about eleven o'clock; but I cannot tell more than what I think about the time. I saw my brother again on the Sunday morning. He came up to my house. There was nobody there, I believe, but my own family. He said, 'Dear me, Mr. Norway's killed.' I did not make any reply. I went to bed as soon as I came home on the Saturday night."

The prisoner upon this was remanded to Bodmin Jail, where his brother was already confined; and, on his way to that place, he pointed out a furze-bush in which the tablets and keys of the deceased gentleman were found concealed.

On the 19th the prisoner James Lightfoot was carried back from Bodmin to Wadebridge for re-examination, and upon this point the evidence of Jackson, the policeman, was taken at the trial, to prove a confession made by the prisoner, corresponding in effect with that which had been made by his brother, though he strove to fix on him the guilt of the commencement of the murderous attack.

The evidence of this witness was corroborated by that of another constable, who was in the same chaise with them; and the turnkey of Bodmin Jail also swore, that very shortly after William Lightfoot had been in prison, he said to him that his mind had been so much troubled that he had told Mr. Molesworth the whole truth. That he and his brother had met by appointment, and were determined to have some money; that when Mr. Norway came up, James snapped his pistol at him twice; that he (William) then gave him a blow with a stick; that he fell off his horse, and that James struck him with his pistol.

Other evidence was produced, the effect of which was to corroborate the statements of the two prisoners; but, when called upon for their defence, the wretched men declared themselves innocent of the offence imputed to them.

Digitized by Google

The learned judge having then summed up the evidence, the jury returned a verdict of "Guilty."

Mr. Justice Coltman passed the awful sentence of death in the most feeling terms.

The prisoners exhibited no agitation or want of firmness during the address of the learned judge, and, at its conclusion, were directly conducted from the bar to the interior of the jail.

Up to this time, as we have already stated, the miserable brothers had been allowed no opportunity for communication, and the discrepancy between their stories exhibits distinctly enough the object of each to screen himself, and to secure the conviction of the other. The double confession, however, prevented the attainment of their desires, and they both fell just victims to their crimes. After the passing of the sentence on them, they were carried to the same cell, and were now, for the first time, allowed to approach each other. They had scarcely met before, in the most hardened manner, they commenced mutually vituperative attacks, and even proceeded to blows. The immediate interference of the jailors prevented a continuance of this disgraceful scene, and the wretched convicts were once again removed to separate apartments.

For several days the unhappy culprits exhibited the most callous indifference to their situation.

On the 7th of April they had a farewell interview with their families. It was of the most distressing description. After the departure of their wives and children, they appeared to be conscious of the awful situation in which they were placed; they became communicative, and listened more attentively to the exhortations of the Rev. F. Kendall and the Rev. W. Molesworth, whose parishioners they were. Great hopes are indulged that the unhappy men were actuated by sincere feelings of repentance.

On Sunday morning, the 12th of April, they attended the chapel belonging to the jail, when an appropriate sermon was preached by the chaplain, from Acts xvi. v. 25—"And at midnight Paul and Silas prayed and sang praises unto God; and the prisoners heard them;" and, in the afternoon, the Rev. F. Cole, of St. Feock, delivered an impressive sermon, from Romans vi. v. 23—"The wages of sin is death;" to which the prisoners paid the deepest attention. After the service they returned to their cells, ate and drank heartily what was given them, retired to bed at the usual hour, and slept soundly all night.

Monday, the 13th of April, had been fixed upon as the day of execution; and on that morning, shortly before eleven, Mr. Smith, the under-sheriff, proceeded to the cells, when portions of Scripture were read by the Rev. Mr. Kendall, and the sacrament was administered to the prisoners by the Rev. W. Molesworth. During the whole of this trying scene the brothers evinced the greatest fortitude. They were then conducted across the yard to the place of execution, preceded by the clergyman, reading the burial service—"I am the resurrection and the life," &c. The unhappy men were ghastly pale, but were perfectly collected, walked with a firm step, and ascended the ladder without the slightest assistance. Before being placed on the drop, they shook hands with the persons around them, and thanked the clergymen and others for their kindness and attention. They each then requested the conveyance of some last communication to their families, and, in a few moments, the drop fell.

Digitized by Google

Upwards of ten thousand persons had assembled to witness the dreadful end of the unhappy wretches, and but little commiseration was exhibited for their fate.

It is highly creditable to the inhabitants of Cornwall to state, that no less a sum than 3500*l.* was collected between the time at which the murder was committed and that of the execution, for the use of the destitute widow and family of the murdered man.

The execution took place at Bodmin, on Monday, the 13th April, 1840; the prisoner, William Lightfoot, being thirty-six years of age, while his brother, James, had only attained his twenty-third year.

RICHARD GOULD, *alias* ARTHUR NICHOLSON.

TRIED FOR MURDER, BUT CONVICTED OF BURGLARY.

THE early life of this most atrocious malefactor is involved in some degree of uncertainty, as, from his sullen and dogged indifference during the period of his confinement in jail, but few particulars concerning his parentage and education could be obtained from him. From his own statement, at the period of his trial he was only twenty-three years of age; and there is good reason to believe, that although upon all occasions he stated his name to be Richard Gould, he was born of respectable parents, whose name was Nicholson. His father carried on the business of a publican; but, having failed, he determined to emigrate to Van Diemen's Land with his family, and the necessary preparations for the voyage were made. Our hero, however, whose disposition had always exhibited him to be a person of unsteady determination, at the last moment rejected the offer of his father to accompany him, and, having secreted himself until the period of the departure of the vessel in which he was to have sailed, had passed, at the age of eighteen years found himself his own master, and without employment, in London.

In a condition of absolute destitution, he was driven to seek for the means of livelihood; and, devoid of the knowledge or the introduction requisite to procure for him a situation in exact consonance with the rank of life in which the condition of his parents had entitled him to move, he accepted an engagement as pot-boy at the Duke of Cumberland public-house, Red Lion-street, Spitalfields. In this condition, by no means calculated to lead him to form connexions or habits likely to improve his position in society, he appears to have made acquaintances by whose instrumentality he was gradually conducted to the vices of dissipation and intemperance, and, after about twelve months' employment, he was discharged by his master. From this time he seems to have supported himself in a loose and discreditable manner for about a year and a half, at the expiration of which time he called at the house of his late master, and informed him, that he had enlisted in the hussars. Subsequently, he again made his appearance there, saying that he was about to proceed to Ireland, where he hoped to obtain employment as an engineer; and, about three weeks before his apprehension on the dreadful charge of murder, upon which he was subsequently tried, he a third time called, saying that he had just returned from the trip, the nature of which he had described upon his former visit.

Digitized by Google

This statement, however, appears to be untrue; for during a considerable portion of the period of his absence, he was known in the neighbourhood of Islington, where he was employed as a pot-boy at the Barnsbury Castle public-house.

It was upon the morning of Tuesday, the 17th of March 1840, that the murder was discovered for which Gould was eventually indicted. Mr. John Templeman, the unfortunate victim of this most dreadful crime, was about seventy years of age at the period of his death. He resided in one of numerous small cottages erected in an open space called Pocock's-fields, near Barnsbury Park, Islington, principally occupied by persons of the poorer grades of life. He lived by himself, and was possessed of a small income, arising from the rents of one or two houses which belonged to him in Somers Town. The supposed miserly habits of the old man, and the great desire which he appeared to entertain to be considered rich, and which he exhibited by constantly boasting of his property, were the undoubted causes which led to the dreadful catastrophe by which he was deprived of life.

It appears that on Monday the 16th of March, he went as usual to Somers Town to collect the money due to him for the rent of his houses; and having called upon his tenants, he received of them 6*l*., the whole of which was paid him in silver, except one half-sovereign. Upon his return home, he sent for a Mrs. Thornton, who acted as his char-woman, and who lived in an adjacent cottage, to whom he communicated the fact of the receipt of the money; and having instructed her to procure various trifling articles of which he stood in need, at about six o'clock he retired to rest. On the following morning Mrs. Thornton sent her daughter to the house of the deceased with some of the commodities which she had been directed to purchase, and she knocked at the door, and called Mr. Templeman by name. No answer was returned, and she went back and informed her mother of her inability to obtain admittance to the house; and then upon Mrs. Thornton proceeding to the cottage and looking in at the bed-room window, she was horror-stricken at finding the unfortunate old man stretched upon the floor brutally murdered. For a time she was at a loss to know what proceedings to take in reference to this most dreadful transaction; but being aware that the deceased had a grandson, a solicitor, in Mortimer-street, Cavendish-square, she determined to await the arrival of her son-in-law, a Frenchman, named Capriani, who was employed as a night-watchman at Sadler's Wells theatre, in order that he might take the necessary steps in the affair. At eleven o'clock in the day he returned home; and then upon his being made acquainted with what had occurred, he at once proceeded to the residence of Mr. Templeman, jun., to inform him of the murder, omitting altogether to give any information to the police of the discovery which had taken place. During the absence of Capriani, the baker who was in the habit of delivering bread at the cottage of the deceased arrived, but was met by Mrs. Thornton, who sent him away, saying he would get no answer there; but Mr. Templeman, jun., soon after making his appearance, the police were called in, and informed of the horrid transaction.

A minute examination of the house of the deceased then took place; and from the appearances which presented themselves, it became evident that the murder had been committed in the most savage manner. The body of the deceased lay extended on the ground, covered only with a night-gown,

Digitized by Google

his hands being bound in front with a strong cord, and his eyes being also bandaged with a stocking bearing marks of blood. The bed was completely saturated with blood, and the floor presented indications of a desperate conflict having taken place. On examining the body, several severe wounds were found at the back of the head; the forehead was completely dashed in by a violent blow from some heavy instrument; the nose and both jaw-bones were broken; and the mouth was severely bruised and mutilated; while three of the teeth of the poor old man, wrenched from their sockets, were found lying on the carpet. The house, which consisted of two rooms only, was in a state of great confusion. The drawers had been forced open, and the box in which it was known the deceased kept his money had been ransacked of its contents. In the sitting-room the pipe of the deceased was found lying upon the table, and beside it lay a number of books of a religious tendency exhibiting the manner in which the old man had spent the later hours of his life. Upon the search being continued, to ascertain the means by which ingress had been obtained to the house, it was discovered that the outer shutter, which was of slight materials, having been first forced open, a pane of glass in the parlour window had been broken through, and then a hand might have been introduced to open the door on the inside.

The circumstances which had hitherto been disclosed left but little clue to the murderer, but some suspicion being attached to Capriani from the delay which had taken place in the discovery of the murder by him to the police, he was taken into custody. The examinations which were made by the police in the course of the ensuing day or two, however, satisfactorily proved that Capriani was in nowise implicated in the horrid affair, and he was discharged; but soon afterwards Gould, and a man and his wife, named John and Mary Ann Jarvis, were apprehended. The evidence which was discovered in reference to these persons soon demonstrated the innocence of the man Jarvis, and he was set at liberty; and subsequently, although a close intimacy was proved to exist between Gould and Mrs. Jarvis, it was found that no such proofs remained against the latter as to induce a probable belief of her guilt, and she too was discharged from custody.

Gould, in the mean time, underwent many examinations at Hatton-Garden police-office, upon the charge of being concerned in the murder, the utmost interest and excitement being occasioned by the mystery connected with its committal. It would be useless to go through the history of the investigations which took place before the magistrates, and also before the coroner, upon this case; but there can be little doubt, that if those functionaries had not suffered themselves to be led away by feelings with respect to the comparative importance of their respective offices, inconsistent with the due performance of their duties, and that if the police had, in the ordinary language of their calling, "managed the case well," a conviction which every one now must believe would have been a proper one, would have secured to justice the punishment of a most heinous offender. Such portion of the evidence which was brought forward at these various examinations, as could legally be produced against the prisoner, was adduced upon his trial at the Old Bailey; and we shall proceed to describe that inquiry, and the occurrences which subsequently took place.

The case came on to be tried before Mr. Baron Alderson, at the Central Criminal Court, on Tuesday, the 14th of April, Mr. Chadwick Jones

Digitized by Google

appearing as counsel for the prosecution, and Mr. Chambers conducting the defence of the prisoner. Witnesses were examined as to the facts which have been already detailed; and other persons were produced, from whose testimony it appeared that the prisoner for some time before the murder had lodged in the house of a Mrs. Allen, who lived in Pocock's-fields, near the cottage of the deceased. The most important facts proved against him were, that previous to the murder he had frequently declared to many of his companions that he was greatly in want of money, and that he had suggested to one of them, a pot-boy at the Duchess of Kent public-house in the Dover-road, that he knew an old man who had got money, for that he had seen him flashing about a 50*l.* note; that he knew where to put his hand upon it in the drawer where it was kept, and that it was "just like a gift" to him, and that he wished he could get "a right one" to assist him in the robbery. Other witnesses proved that he had expressed to them a desire to procure "a screw" and "a darkey" (meaning a pick-lock key and a dark lantern), to "serve" an old gentleman in a lonely cottage; and the concluding evidence was that of Mr. and Mrs. Allen, his landlord and landlady, as to his conduct on the night of the murder, and of some police-officers, who proved the discovery of some money in the rafters of the wash-house of Allen's cottage, corresponding in its denominations with the silver which had been paid to Mr. Templeman by his lodgers at Somers Town.

Allen's evidence was as follows:—"I live at Wilson's Cottage, Pocock's Fields, Islington. I know the cottage in which the deceased lived. I have known the prisoner about twelve months; he has lodged at my house several times, and he came to lodge there seven nights before this occurrence took place. I remember the 16th of March; and at that time, from circumstances that occurred, I am confident that he had no money. On that day the prisoner went out between eight and nine o'clock without having any breakfast. He had on a pair of shoes which I sold him, and they had nails in them. The prisoner wore them constantly. He returned home about three o'clock in the morning, and he immediately went into his room. My wife said to him, 'Richard, is it early, or late?' and he replied, 'It is early.' The prisoner got up between eight and nine o'clock the next morning, and came into my sitting-room, and passed through into the wash-house, which leads to the privy. He staid out from five-and-twenty minutes to half-an-hour, when he returned into the house and went out at the front door. I did not observe anything unusual in his appearance. The prisoner returned home about seven o'clock in the evening, and in the mean time I had heard of the murder of Mr. Templeman, and I told him of it. The prisoner said it was a shocking thing, and he asked me if I considered Mr. Templeman could have done it himself. I said, 'Richard, how can a man bind his own hands and eyes?' The prisoner then appeared agitated, and said his inside was out of order, and he went into the yard, and remained for a few minutes. My attention had been attracted to the prisoner having a new pair of shoes on, and I had a suspicion. I asked him about them, and he said that his cousin had given them to him. He then asked me to get him some bacon and beer for his supper, and I fetched it for him. He gave me a shilling to pay for it. I asked him where he had been so late on the night before. He said he had been at the Rainbow, and had stopped there until twelve o'clock at night, and when he

Digitized by Google

came out he met some friends, who detained him. Before this time I had a piece of wood in my possession, which was about a foot and a half long. The prisoner went to bed about nine o'clock, and I bolted him in and gave information to the police. He accounted to me for the possession of the money by saying that it had been given to him by his relations.

Mrs. Allen's evidence was to the same effect; but she proved in addition, that a stocking in which the money was found concealed belonged to the prisoner.

The evidence otherwise was of a very general description, and although many expressions of a very suspicious character were attributed to the prisoner by the witnesses, none of them amounted to an admission by him of his guilt. The jury, after having received the customary charge from the learned Judge, returned a verdict of acquittal.

During the whole of the time occupied by this investigation, the avenues of the court, as well as the court itself, were crowded to excess by persons anxious to obtain early information as to its result. The verdict of the jury appeared to excite considerable dissatisfaction in the minds of many persons; and so great was the anger exhibited by a great portion of the populace, that the prisoner deemed it prudent to accept an offer of protection which was made to him by the sheriffs, and to remain in the Compter prison until the popular clamour should have in some degree subsided.

While there, a very great degree of commiseration appears to have been unjustly excited in his behalf. Mr. Alderman Pirie, a gentleman for whose humane feelings and intentions every one must give him the highest praise, offered to Gould that he should quit this country, and that he should proceed in a vessel of his own, on the point of sailing to Sydney, to that colony; and the wretched culprit, conscious of his guilt and of the dangerous position in which he stood, at once accepted the offer which was so liberally held out to him. A few days sufficed to show how far the humanity of the worthy alderman was misapplied. A man was committed to the Compter from the Mansion-house, upon a charge of stealing from his employers a quantity of tea, entrusted to him for delivery. His answer to the allegations made against him was unsatisfactory; and in the Compter he was imprisoned in the same ward in which Gould was suffered to remain. Upon his second examination he started a line of defence, which it was thought would afford him a moderate chance of escape. He imputed to two men, that they had met him in the street, and having given him a shilling to go on an errand for them, had run off with his tea. The men whom he pointed out were eventually taken into custody, and they proved to be two of the persons who had given evidence upon Gould's trial, and whose false impeachment this fellow had basely procured for the purpose of revenging himself upon them for their having stated that which was undoubtedly true. The two men were fortunately able satisfactorily to prove that they were elsewhere at the time of the supposed robbery; and the other prisoner was conveyed to Newgate to await his trial.

In the mean time, Gould, exulting in what he then supposed to be the success of his scheme, had been removed on board the Elizabeth, the vessel in which he was to be conveyed to Sydney, and which lay at Gravesend. She was on the point of sailing, when the government, hitherto supine in its exertions to secure the discovery of the perpetrators of this most diabolical murder offered a reward of 200*l.* for their apprehension.

Digitized by Google

An idea was entertained that for the reward Gould would disclose all he knew upon the subject, for that he knew something was obvious, and Otway, a police serjeant, was despatched to communicate with him upon the subject. A long conversation took place, in the course of which the reward was hinted at, and Gould expressed his willingness to open a communication, provided some portion of the booty sufficient to satisfy him for the loss of his passage were guaranteed to him; but on the next day, he was surprised at finding that he had again got into the custody of the police, a warrant having been executed upon him, in which he was charged with being a party to the robbery which had been committed in the house of Mr. Templeman, on the night of the murder.

He was carried to London loudly complaining of the breach of good faith on the part of serjeant Otway, and on being conveyed to Bow-street, he repeatedly expressed his willingness to disclose all he knew upon his being liberated. This condition, however, was refused to be acceded to, and in the hope of obtaining the reward, on the 11th of May he made a statement to the following effect.

He said, that "the robbery of Mr. Templeman's house had been talked over for some time, by himself, Jarvis, and his wife, but it was not finally agreed upon until the morning before that on which it took place. He was then at Jarvis' house but he did no remain long, as Jarvis expected his brother, but before he went away, Jarvis went into the garden and got a piece of wood used as a dibber, and bored a hole in the handle and passed a piece of string through it so as to hang it on his arm. He then went to the Rainbow public-house and got drunk and went to bed at his lodgings. He was to have gone to Jarvis' on the next morning, but he lay in bed so late that Mrs. Jarvis came to fetch him. Jarvis had given her a message how it was to be done, and he (Gould) was not to go near the place until after the public-houses were closed. Mrs. Jarvis told him that she had prepared breakfast and that there was no fear of being noticed, but he went again to the Rainbow, and remained there until twelve o'clock at night. At that hour he went to Jarvis' house, and in a few minutes they went to Mr. Templeman's together, Mrs. Jarvis standing at the door of her own cottage to give an alarm in case of necessity. He (Gould) removed a piece of paper which was pasted over the window, and introducing his hand opened the door, and then he and Jarvis went in. He broke open a box which was in the sitting-room, and found some silver, and Jarvis went into the bed-room. Jarvis now suggested, that as the notes had not been found they must be under the old man's head, and that they might quiet him and fasten him. They had brought a cord with them, and Jarvis directly struck the old man with the dibber. He jumped out of bed as if to resist their attack, but the blows being repeated he was overpowered and his hands tied. They then continued their search for the notes, and they were found in the drawer in the box from which they had taken the silver, but upon their looking at them they found that they were useless, for they were barbers' notes upon 'the bank of fashion.' The deceased by this time had in some degree recovered, and exclaimed 'I know you,' upon which Jarvis declared, that he had rather finish him than be found out, and went into the bed-room. He (Gould) ran out of the house and was presently followed by Jarvis, and they went together to the house of the latter. Mrs. Jarvis was still standing on the look-out. He wanted to

Digitized by Google

divide the money, but Jarvis said 'No, you had better plant (conceal) it, for the cottages here will all be frisked (searched).' He then took the dibber away and threw it into the New River, and he also threw the dark lantern which they had used into a pond in Pocock's Fields. Before he went away he agreed to meet Mrs. Jarvis the next morning at the Three Goats' Heads, Wandsworth-road, and when he quitted them he said that he would then show himself as quickly as he could. He went accordingly to a coffee-shop near the Angel, at Islington, and remained there for an hour and half, and when he returned home it was two o'clock. He went to bed, and on the next morning he placed all the money with the exception of 9*s.* in an old stocking, and put it where it had been found. He then proceeded to the Three Goats' Heads, and soon after he was joined by Mrs. Jarvis, who had her child with her. They went to Lambeth together, and he bought a pair of boots for 7*s.* 6*d.*, and he sold his old ones in the New Cut. They subsequently went towards home, Mrs. Jarvis on quitting him desiring him not to go near her cottage that night, as there was a rare 'stink' about it."

The villany and falsehood of this declaration, except as regarded his own guilt, was soon clearly proved, for on the very same day on which it was made it was contradicted by the prisoner, but while as regarded Mr. and Mrs. Jarvis it was distinctly shown to be false, the prisoner had told so much of the truth as to enable the police to trace out so many new proofs as to leave the most conclusive evidence against him.

He had already been acquitted of the murder, and it was impossible that he should be tried upon any fresh indictment upon that charge; but it still remained open to the friends of the deceased to prefer against him a charge of burglary, subjecting him to a penalty of transportation for life. The statement of facts with regard to the dark lantern, and the purchase of the pair of shoes made by the prisoner, was plainly corroborated by investigation; and while he had unsuccessfully endeavoured to procure the new implication of Jarvis in the murder, he had unwittingly afforded evidence that he had himself committed the burglary with which he now stood accused.

Upon this latter charge he was indicted at the sessions of the Central Criminal Court, on the 22nd of June, and the same evidence which had been before adduced having been again brought forward, together with proof of those additional facts admitted in his own confession, he was found "Guilty."

Mr. Baron Parke, in addressing the prisoner, declared that there could be no possible doubt that he had been guilty of the murder of the unhappy deceased, and that he was justly brought to punishment. He sentenced him to be transported for life.

The prisoner, during his confinement in Newgate upon this new charge, made a most desperate attempt to escape, in company with a fellow-prisoner; but their schemes being discovered by the ever-watchful and most excellent governor of the jail, Mr. Cope, and frustrated, he became much impressed with the dreadful situation in which he had placed himself. At his trial he conducted himself with much firmness, cross-examining the witnesses with considerable tact—and subsequently addressing the jury and court upon the case, with boldness and effect; but upon his hearing the verdict of "Guilty," which was returned, he lost his presence of mind, and became deeply agitated. During the period occupied by the learned judge in passing sentence, he recovered his self-possession, and at

Digitized by Google

the conclusion of the address, he skipped away from the bar with great alacrity.

The terms of his sentence of transportation were subsequently carried out; but the prisoner was not removed from this country without having made a fresh effort to secure his escape.

FRANÇOIS BENJAMIN COURVOISIER.

EXECUTED FOR MURDER.

For a considerable number of years scarcely any circumstance occurred in the metropolis which created a greater degree of consternation and interest than the tragical event which it now becomes our duty to record. At an early hour on the morning of Wednesday the 6th of May, 1840, Lord William Russell, an aged and most esteemed member of the illustrious house of Bedford, was discovered to have been barbarously murdered in his bed, at his house No. 14, Norfolk-street, Park-lane. The noble deceased was the posthumous child of Francis, Marquis of Tavistock, eldest son of the fourth Duke of Bedford, by Lady Elizabeth Keppel, daughter of the second Earl of Albemarle. He was the third and youngest brother of the two late Dukes of Bedford, and uncle of the existing duke, who was the seventh of the family who had succeeded to the title. He was uncle also to the noble and highly talented Lord John Russell, who at the time of this most melancholy catastrophe held the office of Secretary of State for Colonial Affairs. By his marriage with Lady Charlotte Villiers, eldest daughter of the fourth Earl of Jersey, his lordship had seven children, several of whom were still alive and were married into other noble families; but at the time of his death he was a widower, his wife having died in the year 1806. His lordship having been born in August, 1767, was consequently in the seventy-third year of his age.

Allied as the noble lord was to so many of the families of the nobility, the horrible event of his murder, it may be presumed, created the most extraordinary degree of alarm; and inquiries the most eager and the most scrutinizing were immediately set on foot, with a view to the discovery of the person by whose hand the dreadful deed had been committed. The result of the preliminary investigations which took place, tended to fix strong suspicion upon the valet of the unfortunate nobleman, François Benjamin Courvoisier, which, however, was so little supported by positive evidence, as to leave his guilt of the crime a matter of the greatest doubt; and it was not until the second day of his trial for the murder, that circumstances were discovered, in a manner, which appeared to denote the presence of the hand of the Almighty, by which his conviction was secured.

The first discovery of the murder, as we have already said, took place upon the morning of the 6th of May; but, in order to render what then took place more intelligible, we shall first describe the family of his lordship, and the proceedings of the day preceding this most diabolical outrage. Lord William Russell resided, attended only by his servants, at the house in Norfolk-street, Park-lane. At the age at which he had

Digitized by Google

arrived, it is not to be supposed that he was unaffected by indisposition or weakness; but although he suffered slightly from deafness and bodily infirmity, his health was sufficiently good to enable him to enjoy life with comparative comfort. His family consisted of two female servants; a housemaid, Sarah Mancer, and a cook, Mary Hannell, besides his valet, Courvoisier, and a coachman and groom, all of whom lived in the house, with the exception of the two latter individuals. The house was small, and consisted of only two rooms on a floor. On the basement story were the kitchen, and the usual offices, and a room used by Courvoisier as a pantry. On the ground floor were two parlours, used as dining-rooms; on the first floor were the drawing-room and library; on the second floor were the bed-room and dressing-room of his lordship; and in the story above were the sleeping apartments of the servants. His lordship was a member of Brookes's Club, in St. James's-street, and usually spent a considerable portion of the day there; but he generally dined at home, and then having passed several hours in reading, commonly retired to rest at about twelve o'clock. The valet had been in his lordship's service during a period of five weeks only; and in the course of that time had been heard by his fellow servants to express himself in terms of dislike to his master, whom he described as testy and dissatisfied, and to declare that if he only had his money, he should soon return to Switzerland of which country he was a native. Upon the 5th of May, his lordship rose at nine o'clock, and breakfasted at the usual hour; and at about noon he went out, proposing to go to Brookes's, in accordance with his usual habit. Before he quitted the house, however, he called his valet, and gave him several messages to deliver, amongst which was one to the coachman, to prepare his carriage and to be in readiness to take him home from his club at five o'clock. Upon Courvoisier going into the kitchen after this, he declared his fears that he should forget some of his errands; and in recounting them, he omitted that to the coachman. At half-past five his lordship returned home to dinner, in a cab, and showed some dissatisfaction at the neglect of his servant; but it does not appear that he exhibited any such anger as could well excite a feeling of hatred or ill will. Dinner was served at about seven o'clock; tea and coffee were subsequently handed to his lordship, and at about nine o'clock he retired to his library. At this time, the three house servants only were at home. Some other persons had called in the course of the day, but they had all left; and Courvoisier, Sarah Mancer, and Mary Hannell, only were in the house. Hannell had been out, but upon her return Courvoisier admitted her, and it was observed that he locked and chained the street door after her entrance. Supper was, at about ten o'clock, prepared in the kitchen, and some beer was fetched by Courvoisier; but he quitted the house, and returned by way of the area, and the gate and kitchen door were fastened by Hannell upon his re-admission. The means of access to the house, from the street, therefore, were closed, and the only entrance from the back, on the basement story, was through the pantry.

At about half-past ten, the women-servants went to bed, leaving Courvoisier to attend upon his master, and it was not until half-past twelve o'clock that his lordship rang his bell for him to assist him in retiring to

Digitized by Google

his apartment. It was the custom of his lordship to have his bed warmed, and it was the duty of the valet to perform this duty for him, and then to return the warming-pan to the kitchen. The bed appears to have been warmed as usual on this occasion; but as the subsequent events of this dreadful night remained in mystery until after the discovery of the murder and the conviction of its perpetrator, we shall abstain from describing them at present, in order that they may be laid before our readers in the words which Courvoisier himself employed in recounting them.

On the following morning, at about half-past six o'clock, Sarah Mancer, the housemaid, rose from her bed, and, having dressed herself, quitted her bed-room. As she passed the door of the prisoner's room she knocked, in order to awake him, and then proceeded down-stairs. The first circumstance which she remarked was, that the warming-pan had been left at her master's bed-room door, as if indicating that the valet had gone to rest immediately after having attended upon his master, without subsequently going below; but, upon her proceeding to the lower floors of the house, she found everything in such a state of confusion, as to excite a suspicion in her mind that thieves had entered the house with a view to the commission of a robbery. She hurried through the drawing-room, the parlour, and the passage on the ground-floor, and there she found the furniture strewed about, the drawers and boxes open, a bundle lying on the ground, as if ready packed up to be carried off, while the street-door had been unfastened, and was only upon the latch. A momentary examination of these matters was sufficient to excite alarm in her mind, and, hurrying up-stairs again, she repaired to the cook to inform her of what she had seen, by whose directions she at once proceeded to the apartment of the valet. Ten minutes had scarcely elapsed since she had before knocked at his door, and half-an-hour was ordinarily occupied by him in dressing, but, to her surprise, she now found him dressed and ready to descend. Hastily informing him of what she had witnessed below, he accompanied her down stairs; and, upon his seeing the state in which the lower part of the house appeared to be, he exclaimed, "Oh, God! somebody has robbed us." Mancer now suggested the propriety of their ascertaining whether anything had occurred to his lordship, and they went together to his bed-room.

Immediately upon their entrance, Courvoisier proceeded to the window to open the shutters, but Mancer, going to the bed-side, saw the pillow saturated with blood, and his lordship lying in bed, quite dead, with his throat frightfully cut. His face was covered with a towel or napkin, but upon this being removed, his countenance was found to be perfectly placid, while the position of his body, undisturbed, and as if in a state of repose, betokened the suddenness with which the death-stroke had been inflicted. The woman suddenly screamed and ran out of the room, and, rushing from the house, she obtained the aid of some neighbours and of the police, by whom a surgeon was called in. Upon the entrance of these persons, Courvoisier, whose conduct throughout the whole transaction was of the most singular description, was found dreadfully agitated, leaning on the bed where the body of his master lay; and although questions were asked him, he made no answer, and took no part in the proceedings which succeeded. The death of the deceased nobleman was too evidently the result of violence from another hand to render a suggestion of suicide possible.

Digitized by Google

One gash only had been given, which extended to the very back of the neck, and nearly severed the head from the body; and the absence of any instrument by which such an act could have been committed, at once negatived any supposition of that description.

In a few minutes Courvoisier appeared to recover from the agitation by which he had been affected, and at his suggestion an intimation of the dreadful occurrence was conveyed to the son of the deceased nobleman, who resided in Belgrave-square. Upon his going down-stairs, he immediately took Sarah Mancer into his pantry, and pointing to some marks of violence which were perceptible upon the door, which was open, remarked, "It was here they entered."

The police now took possession of the house, and the mysterious nature of the transaction fully warranted them in the first step which they took—the detention of the three servants. A minute examination of the premises took place, the result of which was, a firm conviction on their minds that the murder had been perpetrated by an inmate of the house, and that a simulated robbery had been got up, for the purpose of raising a belief that the diabolical crime which had been committed was the act of a nocturnal plunderer and assassin. Upon the street door there were no marks of violence perceptible, while the indentations which were observable upon the door of the pantry had been so clearly produced from within, instead of from without, as to leave no doubt of the truth of their supposition. Their belief was further supported by the position of the back part of the house and the contiguous dwellings. It was so surrounded by buildings and high walls, as to render approach from that quarter next to impossible; and a minute examination of the neighbouring roofs of houses, &c., clearly negatived the suggestion that any person had obtained access to the house of Lord William Russell by clambering over any of them. In the house, the appearances were such as to indicate that the work had not been done by any practised housebreaker or marauder; and, furthermore, instruments were discovered, in the pantry poker, and a chisel which was found in the drawing-room, and which had been known to be in the kitchen for some weeks before, which exactly corresponded with the marks in the pantry door, and which, as they could not have come into the possession of any stranger, must have been employed by some person having access to, and being well acquainted with, the premises.

The parcel which had been observed by the woman Mancer was examined, and was found to contain many articles of his lordship's property. A cloth cloak, which had been hanging up in the hall, was found rolled up, and within it were his lordship's gold opera-glass, his gold toothpick, a silver sugar-dredger, a pair of spectacles, a caddy spoon, and a thimble belonging to the cook; but it was remarked, that the latter articles were of a nature which a thief would rather have put into his pocket than have packed up in so large a parcel; and although the drawers of the sideboard in the parlour, and of the writing-desk in the drawing-room, were pulled open, nothing was found to have been extracted. In his lordship's bedroom a state of things presented itself which tended to confirm the suspicions of the police, and to supply a motive for the crime. His lordship had been in possession of a case containing ivory *roulean* boxes, which are usually employed to contain gold coin. The boxes belonging to his lordship would hold about five hundred sovereigns, and it had been remarked

Digitized by Google

by Courvoisier, that although he was entrusted with the keys of his master's drawers and trunks, his lordship would never permit him to go to this case. Upon examination by the police, the *rouleau* case was found to have been opened, and the *rouleaux* having been searched, fruitlessly, for money, they had been placed on one side. The jewel-box and the note-case of the deceased had also been opened, and while from the former several articles of small value had been taken, from the latter a 10*l.* note, known to have been in the possession of his lordship, had been carried off. A purse containing gold had also disappeared. The rushlight, which had been lighted by the valet, according to his own statement, when his lordship went to bed, was found to have been extinguished within about an hour and a half after it had been left; his lordship's gold watch, together with its appendages, had been removed; and, furthermore, an attempt had been made to give an appearance to the room as if his lordship had been attacked while reading in bed. A book which his lordship was known to have been reading in the course of the evening, "The Life of Sir Samuel Romilly," who, by a most remarkable circumstance, came to his death by cutting his throat, was lying by his bed-side, and near him was a wax-candle, burned down into the socket of the candlestick, but placed in such a situation as that it would have afforded no sufficient light to enable his lordship, in the position in which his body was found, to read one word by its light. These circumstances induced a strong suspicion against Courvoisier, and his boxes were searched, but without anything being discovered tending to fix upon him the guilt of the crime; but it was nevertheless thought advisable that he should remain in custody, or under *surveillance*, until an examination of the drains of the house should have been made. For reasons of precaution, the women servants were also detained, and the most active exertions were made by the police to discover evidence which should lead to the discovery of the murderer. The commissioners of police, and several members of the nobility were indefatigable in their efforts to render assistance throughout the whole investigation, and through their instrumentality some discoveries were made.

On Friday, the 8th of May, it was thought that a more comprehensive search ought to be made through the house, and particularly in the pantry, and some most important disclosures took place. Some appearances were observed on the mortar and on the skirting-board of the room, which induced a police-officer to remove them. He examined the floor, the skirting, and the sink, and behind the skirting-board he found five gold rings, most undoubtedly the property of his lordship. In the same place were also found five pieces of gold coin and a piece of wax. Behind another part of the skirting was found a Waterloo medal, which was known to have been in the possession of his lordship, with a ribbon attached to it; and there was also found the 10*l.* note which has been mentioned before. The fact of the discovery of this note was a most important feature in this case. If it had been removed from the note-case, in which it had been placed, by any ordinary thief, it would undoubtedly have been carried off by him. Found as it was, however, concealed within the skirting-board of this pantry, it was taken as almost conclusive of the guilt of the valet, because no hand but his could have placed it in that position; for it is to be observed, that, from the moment of the discovery of the murder, he was

Digitized by Google

placed under surveillance, and could not, therefore, have conveyed away anything from the house. A further search was subsequently made, and a split gold ring, on which his lordship kept his keys, and which had been attached to his watch by a ribbon, was found; and then, on the evening of the next day, a locket was taken from Courvoisier's pocket.

The discovery of this small article was one to which very great attention was paid, and which formed a very singular feature in the case. Upon it being taken from the pocket of the valet, he claimed it as his own. It was well known amongst the family and domestics of the deceased nobleman, that he had always carried a locket about him, containing a small portion of the hair of his deceased lady. A short time before his murder, he had missed this relic, to which he attached great value, under circumstances of considerable mystery. He had been staying at Richmond, accompanied by no other servant but his valet, and during his sojourn there he occasionally went to Hampton, to visit his relative, Lady Sarah Bailey. In the course of a conversation which he had with her ladyship, he dropped the locket out of the case in which he usually kept it, and quitted her ladyship's apartments, without having discovered his loss, to attend divine service at the chapel of Hampton Court. On his return the locket was presented to him, and he placed it in his pocket, but from that moment he never saw it again. It was missed, and the most diligent search was made for it, but in vain; and his lordship, grieved at his loss, eventually returned to London without having recovered this relic of his former affections. Upon the discovery of a locket in the possession of Courvoisier, a presumption was raised that it was that of his deceased master, with which it corresponded in every particular; but, in obedience to his repeated asseverations that it was his own, it was returned to him. On the next day, by a most remarkable accident, the same locket, of the identity of which now no doubt any longer remained, was found concealed in a small hole under the hearth-stone in the pantry, the room in which Courvoisier remained. Upon this the police thought fit to take him into custody, and he was conveyed away from the house; and, after he had been taken off, still further discoveries were made. On the 11th of May, a chased gold-key was discovered; and, on Wednesday the 13th, it was determined to examine the sink in the pantry. A part of the sink was covered with lead, and that portion having been removed in the course of the investigation, it occurred to the police-officer that there was something extraordinary in the appearance of the lead. He turned it up, and there he found the watch, which had been placed at the noble lord's bed-head on the night of the murder, but which on the next morning was discovered to have been removed.

These were the material facts adduced in evidence against Courvoisier upon his various examinations before the magistrates; but strong as were the suspicions excited against him, it was felt that there was still good reason to believe that he would escape conviction. An experienced attorney, Mr. Flower, was engaged to conduct his defence; and so strong a feeling had been excited in his behalf, that a liberal subscription was raised among the foreign servants in London to defray the expenses of employing the necessary counsel to appear for him at his trial. Mr. Hobler, an attorney, was engaged on behalf of the prosecution; and at length, on Thursday, the 18th of June, the trial of the prisoner came on at the

Digitized by Google

Central Criminal Court, before Lord Chief Justice Tindal and Mr. Baron Parke.

The court was then crowded with persons whom curiosity had drawn together to procure a sight of the prisoner, and to hear the evidence adduced against him; and, amongst the noble and distinguished individuals present were, the Duke of Sussex, who remained during the whole of the day, and appeared to take great interest in the proceedings; the Countess of Charleville, Lady Burghersh, Lady Sondes, Lady A. Lennox, Lady Granville Somerset, Lady Julia Lockwood, Lady Bentinck; the Earls of Sheffield, Mansfield, Cavan, Clarendon, Lucan, and Louth; Lords Rivers, Gardner, and A. Lennox; M. Dedel, the Dutch ambassador; Marshal Saldanha, the Portuguese ambassador extraordinary; Sir Gilbert Heathcote, Sir Stratford Canning, Sir W. Montagu, Colonel Fox, Lord Frederick Gordon, Hon. Mr. Villiers, &c. As a proof that every part of the court was brought into requisition, it may be mentioned, that the prisoners' dock was filled with chairs, every one of which was occupied.

Mr. Adolphus, Mr. Bodkin, and Mr. Chambers, appeared for the prosecution. The prisoner was defended by Mr. C. Phillips and Mr. Clarkson.

The prisoner, who was an alien, elected to be tried by a jury of Englishmen; and the indictment having been read, he pleaded "Not guilty."

Evidence in proof of the circumstances which we have detailed was then produced, and the first day's proceedings had closed, when the new and important testimony to which we have already referred, affording conclusive proof of the guilt of the prisoner, was discovered.

In the course of the inquiries which had been made subsequently to the murder, some articles of plate were found to have been removed from the house of his lordship; but, after the minute examination of the house which took place, there was good reason to believe that this portion of the transaction had occurred long before, and not after, the murder. All the efforts of the police to discover this stolen property had proved ineffectual; and although large rewards had been offered for its production, it was not until the evening of the first day's trial that it was brought forward. An intimation was then conveyed to Mr. Hobler of the fact of its being in the possession of Madame Piolaine, the keeper of a French hotel in Leicester-place, Leicester-square; and upon its being inspected by persons who were competent to speak to its identity, they at once most positively proved that it was the same which had been formerly in the possession of his lordship. The circumstance of this most extraordinary discovery was directly notified to the prisoner's attorney; and Courvoisier being by him consulted as to the truth of the allegations made, he at once admitted his guilt. At this stage of the proceedings, it was felt that such a confession placed the advocates who had been employed on his behalf in a condition of the greatest difficulty. For them to have thrown up their briefs would have been at once to admit the uselessness of any efforts to save their client from an ignominious death—a duty to the performance of which they had pledged themselves; and it was therefore determined that they should continue their defence of the prisoner, although the line of conduct which it became proper to pursue was necessarily much altered by the discovery which had been made to them. The instructions which they had originally received, went to the extent of calling upon them to endeavour to procure

Digitized by Google

the implication of the female servants of his lordship, and of the police, who were to be charged as their companions and associates in crime in the murder of Lord Russell, and in a conspiracy to secure the conviction and execution of the valet; but although the former portion of this defence was of course deemed fit to be withdrawn, a considerable degree of abuse was heaped upon the police by Mr. C. Phillips in his speech for the defence of the prisoner, in consequence of some improper conduct of which he alleged they had been guilty, tending to prejudice his case, and even going to the length of fabricating evidence to excite suspicion in the minds of the jury against him.

To proceed, however, to the new evidence which had been obtained, we shall, in order to make it more easily understood, lay it before our readers in the terms in which it was produced at the trial at the end of the second day's proceedings.

After being sworn, Charlotte Piolaine deposed as follows:—"My husband keeps L'Hôtel de Dieppe, in Leicester-place, Leicester-square. I know the prisoner at the bar. I knew him about four years ago. He came to our hotel in the situation of waiter. I don't recollect that he gave me his name, nor did I know it. We used to call him John in the hotel. French is generally spoken in our hotel; and we called him Jean. He lived with me as a servant for about a month or five weeks, not longer. I never saw him since that time till about six weeks ago. He came to me at the Hôtel de Dieppe on a Sunday morning. He merely asked me how I was, staid a short time, and went away. I did not recognise him when he first came. As it had been some time since I saw him, I could not recall his features to memory. He said, 'Don't you remember me? I am Jean, who lived with you some time ago.' He staid but a few moments and went away. I asked him in the bar if he was in a situation, and he said 'Yes;' and I said, 'I am very glad of it.' I saw him again on the Sunday week or fortnight afterwards, I cannot remember which. He came in and asked me how I was. It was in the evening, and he had a parcel in his hand—a paper parcel. He asked me to take care of it till the Tuesday following, and he would call for it. I said 'Certainly I would,' and he left it and went away. I put up the parcel in a closet. I did not know at that time what the parcel contained. It was a sort of brown paper parcel, about eighteen inches long, and it was tied up and sealed. He did not call for it on the Tuesday following, and I never saw him since until to-day. I heard once or twice of the murder of Lord William Russell. The parcel had certainly been left with me before I heard of the murder, but I did not suppose it to be connected with that event. I took it out of the closet for the first time yesterday morning. I kept it at the bottom of the cupboard. I was induced to take it out in consequence of an account which my cousin read in a French newspaper, and showed to me. I communicated with my cousin, and with Mr. Gardine, for whom I sent. He lives in King-street, Soho, and is a chaser and modeller, and I sent also for Mr. Cumming. He is a solicitor, I believe, and is a very intimate friend of ours. My cousin Vincent is my husband's partner in the hotel. The parcel was opened in the presence of these persons. It was never opened before from the moment it came into my possession. (Mr. Cumming, who was subsequently examined, here produced the parcel, which was about eighteen inches long by six wide.) That is the parcel, and that is the

Digitized by Google

paper that was on it. (The witness, by the direction of counsel, opened the parcel.) It contains spoons and forks of silver, two pairs of new stockings, a pair of gold auricles for assisting the hearing, a pair of dirty socks, and an old flannel waistcoat and a jacket. The jacket was wrapped round the other articles, and there is also some tow or yarn which would have the effect of preventing the plate from being felt or rattling. When we discovered these things, Mr. Cumming immediately put it up again, having first put in an inventory which he took down on paper, and which we all signed, and took it away. He brought it here, I believe."

Louis Gardine: "I am a chaser and modeller, and live in King-street, Soho. I know M. Piolaine, who keeps the Hôtel de Dieppe in Leicester-place. I remember a man bringing a parcel to the hotel on a Sunday, but I do not recollect the exact time. I was only a visitor, and did not take much notice. The parcel was wrapped up in brown paper. I do not know the man who brought it, and had not, to my knowledge, ever seen him before. I cannot identify the prisoner as the man. I was fetched by Mr. Vincent yesterday about some news that was in the paper, and I went to the hotel. We went directly to Mr. Cumming in the city. We found him there, and he came back with us to the hotel. A parcel was then produced, and Mr. Cumming cut the string and opened it, and it was found to contain some silver and some other articles; and a list was made out of its contents."

Mr. Richard Cumming: "I am a solicitor, and carry on business in the Old Jewry. In consequence of a communication I received from Gardine and Joseph Vincent yesterday, I went with them to M. Piolaine's, in Leicester-place; and a brown paper parcel was produced. I was consulted as to the propriety of opening it, and it was ultimately opened by me. I made out a list of the articles, which I now have, and fastened the parcel up again. Before doing so I observed the crest on the spoons, and proceeded to Ridgway's, the booksellers, where I learned that the crest, a goat, was that of the Bedford family. I immediately proceeded to Marlborough-street police-office, to seek the magistrates' advice and to be relieved of the possession of the parcel. I had an interview with the clerk to the magistrates, and in consequence of what transpired, I came down to the Old Bailey in a cab. I arrived here about six o'clock, and sent in a note to the solicitors for the prosecution, Mr. Wing and Mr. Hobler, to whom I made a communication. The paper brought in some time ago contains a portion of the contents of the brown paper parcel, but having placed my initials upon it and the articles, I gave up the brown paper and the remaining contents to an officer by direction of Mr. Hobler. The paper produced is the covering of the parcel, and the articles I produced were contained in it. On the back of the cover there has been an address, which is nearly erased. Besides the spoons and forks there was some ear apparatus, made of gold, in a box. I produce the list signed by myself and the other parties. The articles consisted of four silver table-spoons, four silver dessert-spoons, two silver tea-spoons, four silver forks, one leather box containing two instruments for the ears, two pairs of white stockings, with no mark on them, one pair of white socks, each marked C 4, one flannel jacket, another jacket which I have called a flannel jacket, and a small quantity of tow or yarn."

Other evidence, by which the stockings were proved to have belonged to

Digitized by Google

the prisoner by his washerwoman, and by which the brown paper in which the parcel was wrapped was proved to have been sent to Lord William Russell, around a framed print of the "Vision of Ezekiel," from the shop of Mr. Molteno, a printseller in Pall Mall, was then produced, and the trial was again adjourned to Saturday.

On that morning, Mr. C. Phillips addressed the jury at very great length on the part of the prisoner, contending with great talent, that the evidence was that of suspicion only; but Chief Justice Tindal having summed up, a verdict of "Guilty" was returned.

The learned judge then proceeded to pass upon the prisoner the sentence of death. He said, that he had been found guilty by an intelligent, patient, and impartial jury of the crime of wilful murder. His guilt had been established beyond the possibility of doubt. The circumstances which surrounded the case were not of an ordinary description. It was ordered by the holiness of God that this crime should not go unpunished; and his power was exemplified in no common manner in the course and progress of the investigation. It was ordained that that which was hid in darkness should be brought to light, and that an offence of the greatest magnitude and the most hateful in the sight of God should not remain concealed. He (the prisoner) had felt no compunction at his conduct; he entertained no regard for the sacred duties which bound a servant to his master; but under his own roof he had committed upon him, aged and unprotected as he was, the awful crime of murder. By this horrid act, domestic and social society received a shock; and in order to prevent the perpetration of such offences by others, it was necessary that the law in this instance should take its course. He could hold out no hope to him in this world, and he earnestly entreated him to prepare to undergo the last sentence of the law. It was necessary that he should receive that punishment, in order that others should take warning, and abstain from a breach of the law. What had inclined him to commit the horrid act did not appear. The love of lucre first induced him to break the law, and that might have led to the commission of this offence. The learned judge again earnestly entreated him to make the best use of his time, and endeavour to make his peace with the Almighty; and his lordship then passed the ordinary sentence of death upon the convict.

Throughout the whole of the three days occupied by this trial, the court was crowded to excess with persons who most anxiously watched every change of evidence affecting the prisoner. Courvoisier during the first day appeared confident, and surveyed the court with much apparent courage and coolness; but upon the following morning, his altered position was clearly exhibited by the anxious expression of his countenance, and the melancholy hopelessness by which his whole conduct seemed to be characterised. On the last day his demeanour even more plainly exhibited how little he expected to escape from the punishment due to his crime; and he received the last sentence pronounced upon him by the learned judge with little apparent feeling.

Upon his being conveyed from the court to the interior of the jail, he made no hesitation in at once admitting to the governor, Mr. Cope, that he had been justly convicted; and he expressed his greatest anxiety, that the female servants should be relieved from all suspicion. He subsequently became sullen and reserved, and seizing an opportunity when the jailer had

Digitized by Google

quitted him for a few moments, he endeavoured to choke himself by cramming a towel down his throat. This attempt was, however, frustrated by the vigilance of the turnkey; and he became more communicative after he had received spiritual consolation from Mr. Carver, the ordinary of the jail, and from M. Baup, the minister of the French church in Threadneedle-street.

On the following day, the wretched man made the annexed confession, in the presence of Mr. Flower, his attorney, and Mr. Cope.

"Newgate, June 22, 1840.

"On the Friday before the murder was committed I began two or three times not to like my place. I did not know what to do; I thought if I gave warning none of my friends would take notice of me again, and I thought by making it appear a kind of robbery he would discharge me; and on the Saturday before I took this plate to Leicester-place. I had a mind to rob the house on Monday, and after I had forced the door down stairs I thought it was not right and went to bed—nothing further happened on the Monday. On Tuesday night, when his lordship went to bed (he had been rather cross with me before about the carriage) he gave me two letters, one for the post, and told me rather angrily, that he was obliged to write those letters in consequence of my forgetting the carriage; this was in the drawing-room, about eleven o'clock at night. I then went down stairs into the kitchen, and stood reading a book for some time. About twelve o'clock he rang the bell. I went up to him and took the lamp out. After that I thought he had gone up stairs to his bedroom; and when he rung his bedroom bell, I thought it was to warm his bed, and I took the warming-pan up with coals in just as usual, and he began to grumble because I did not go up to see what he wanted, instead of taking up the warming-pan. I told him he always used to ring the bell for the warming-pan, and that it was for that purpose he had rung; and he said that I ought always to go and answer the bell first, to see what he wanted. He took off his clothes, and I came down stairs again with the warming-pan, and I waited there until about twenty minutes past twelve. He rang again for me to warm his bed. He told me, rather crossly, that I should take more notice of what I was doing, and what he was telling me, and pay him more attention.

"I did not answer at all, as I was very cross. I went down stairs, and put everything in the state it was found in the morning. As I was in the dining-room with a light, he came down stairs to the water-closet: he had his wax-light. I was in the dining-room, but as he had his slippers on, I did not hear him come down. He opened the dining-room door, and saw me. I could not escape his sight. He was quite struck, and said, 'What are you doing here?—you have no good intentions in doing this; you must quit my service to-morrow morning; and I shall acquaint your friends with it.' I made no answer. He went to the water-closet, and I went out of the dining-room down stairs. He was about ten minutes in the water-closet, and I waited to see what he would do after he came out. While he was in the water-closet I put some of the things to rights again in the dining-room. When he left the water-closet, he went into the dining-room, where he staid about a minute or two. I was on the corner of the stairs that goes from the dining-room to the kitchen. I watched him up stairs. I stopped perhaps an hour in the kitchen, not knowing what I

Digitized by Google

should do. As I was coming up stairs from the kitchen, I thought it was all up with me, my character was gone, and I thought it was the only way I could cover my faults by murdering him. This was the first moment of any idea of the sort entering into my head. I went into the dining-room and took a knife from the side-board. I do not remember whether it was a carving-knife or not. I then went up stairs. I opened his bed-room door and heard him snoring in his sleep; there was a rushlight in his room burning at this time. I went near the bed by the side of the window, and then I murdered him; he just moved his arm a little; he never spoke a word. I took a towel which was on the back of the chair, and wiped my hand and the knife; after that I took his key and opened the Russia leather box, and put it in the state it was found in the morning, and I took all the things that were found down stairs—the towel I put over his face; I took a purse, I also took a 10*l.* note from a note case, which I put in the purse, and put them in a basket in the back scullery; the day after I thought it would be better to put it behind the skirting board. I had, before I went to Richmond, lost a shilling behind the skirting board, so I thought that would be a good place to put it.

"While at Richmond Lord William's locket dropped from his coat while I was brushing it. I picked it up, and put it in my trowsers pocket, but had not the least idea of taking it. I intended to have returned it to his lordship, while I dressed him in the morning. I put my hand in my pocket at that time, but found I had changed my trowsers; this was on the morning we left Richmond for Camden-hill. I did not put the trowsers on again while we were at Camden-hill. I did not recollect the trousers being different, and thought I had lost the locket. I then thought it best to say nothing about it. On the Friday morning I was looking at some of my old clothes, the policeman who had cut his chin was watching me, and in taking the trousers out of the drawer in the pantry the locket fell out of the pocket; it was wrapped up in a piece of brown paper; the policeman opened the paper and looked at it, and said, 'What's that?' I said to him it was a locket; but in the position in which I was, I did not like to say that it was Lord William's locket, as if I told the truth I should not be believed; the policeman then returned it to me, and I put it in my trousers pocket. The watch and seal were in my jacket pocket, which I had on until the Friday morning; and then I undid the ribbon, and took the seal off; it was the day the sweeps were in the house, which was either the Thursday or Friday; having the watch in my pocket the glass came out; I did not know what to do with it, as the police were watching me, so I took the watch from my pocket, and put it in between the lining of my jacket, and twisted the pocket until I smashed the glass; after that I dropped some of the pieces about the dining-room; and, at different times, put the large pieces in my mouth, and afterwards, having broken them with my teeth, spat them in the fire-place. The watch I had by me until Friday morning. I then burnt the ribbon, and put the watch under the lead in the sink. I kept the seal in my pocket until they came into the dining-room to show me the ring they had found behind the skirting board. When I was called to go down to the pantry, I let the seal fall and put my foot upon it, and afterwards put it behind the water-pipe in the scullery. Beresford and Cronin, and two masons, were there at the time taking the drain up, but did not see me do it. The watch, the seal, and the locket,

Digitized by Google

together with two sovereigns, I had about me until the Friday, and if they had searched me they must have found them; but they did not do so until Friday, after I was taken into custody in my bed-room. The two sovereigns I afterwards (on the Friday, when I slipped the locket under the hearth stone) also slipped down near the wall under the flooring. I had scarcely had any beer all the week, and the ale that I had drunk that night, together with the wine, and some more I took after the cook went to bed, affected me. I turned up my coat and shirt sleeve of my right hand when I committed the murder. I did not use the pillow at all.

After I had committed the murder I undressed and went to bed as usual. I made the marks on the door on the outside, none of them from the inside, for the purpose of having it believed that thieves had broken in. I never made use of the chisel or the fire-irons. I placed the things about the house to give the appearance of robbery. It is not true that the bottom bolt was never used to secure the door; it was bolted that night. I took the jewellery after I had committed the deed. All the marks on the door were made from the outside on the Monday night, for I got out of the pantry window and broke in at the door, and while getting out of the pantry window made a little mark on the wall outside, near the water-pipe, which the witness Young saw, and mentioned in his evidence. I went to bed about two o'clock. I burned nothing. Sarah Mancer knew nothing about it. Neither did the cook, or any of the other servants. I am the only person who is at all guilty.

"François Benjamin Courvoisier.

"Witness, Thomas Flower.

"William Wadham Cope. "22nd June, 1840."

On the 23rd of the same month, however, he made a short confession, in which he contradicted the statement of the master having threatened to discharge him, and which was in the following terms:—

"After I had warmed his lordship's bed, I went down stairs and waited about an hour, during which time I placed the different articles as they were found by the police. I afterwards went to the dining-room, and took one of the knives from the side-board. I then entered the bed-room, and found him asleep. I went to the side of the bed, and drew the knife across his throat. He appeared to die instantly."

"Prison of Newgate, June 23.

"This declaration was made before me this 23rd of June, 1840.

"William Evans. Sheriff."

His subsequent admissions tend very materially to show that a considerable portion of his confession, even as amended, was untrue, and the frequent alterations which he made in his statements, leave room for much doubt as to many of the circumstances related by him.

On the 3rd of July he added another document to those which he had already written. It was headed thus:—"François Benjamin Courvoisier gives some account of the short duration of his life, which is to terminate on the 6th day of July, 1840." It was written in French; and the following is a faithful translation from the original:—

"I was born of very pious parents, who have neglected nothing on their part for my education and religious instruction; on the contrary, they have

Digitized by Google

done all in their power; and if I am not so well informed as I should be, it is my own fault. It has been my evil habit to have always had a falsehood in my mouth ready to excuse what I did wrong, or what I omitted to do. I fancied that it was more disgraceful to have a bad memory than to be a liar. At the age of twelve, when I was very religious, I loved God and my parents, I was kind to my sisters, and took pleasure in doing what was good and right before God; but unhappily the schoolmaster did not remain in my village, and his successor was not so religiously disposed. I soon forgot all the good I had been taught, and again became such as I was before. It is true that I was not immoral, but I had no longer those holy inclinations in my heart. I confirmed my baptismal vow at the age of sixteen, and afterwards received for the first time the Holy Communion. I now began to be righteous in the sight of men only, and I thought that this was the highest duty of a Christian, and that if I gave satisfaction to men I did so to God also. My parents had a peculiar affection for me, and placed much confidence in my good conduct; they thought that I was the one in their family who was most anxious to reward the pains they had taken in my youth. I fancied that I loved my parents as myself; but if I had indeed so loved them, I should not have acted as I have done. It is true that I considered myself a good Christian. I cannot say that I often thought of God, for then I should not have sinned as I have done; all who knew me believed that I acted uprightly, and I thought so too. I had already acted unjustly towards Mrs. Fector, at the time of leaving her. I know that I should not have dared to act thus a year before. This proves that I had already begun to forget God, and that Satan had already some power over me. After I left Mrs. Fector, and went to my last unfortunate place, I felt confident in my own strength, and began to say within myself, 'Next year I will do such and such things,' but never did I say, 'If it pleases God.' During the first part of the time I was with Lord William Russell, I was tolerably comfortable until we went to Richmond, when Lord William always appearing dissatisfied, especially towards the latter part of the time, I fancied that I should not be able to remain with him, and having heard the other servants speak of different scenes (towns, villages, country-houses), I began to desire an employment which would enable me to travel through England. I afterwards formed an idea that I should be able to travel on foot from city to city for six months. I then intended to endeavour to procure a place or return to Switzerland. I thought I should be able to make my friends believe that I was in place during these six months. This was the beginning of my misfortunes, for I soon commenced to harbour still worse designs. I thought that I could go to a town, take a lodging, and after remaining five or six days I would depart without payment. I thought that 10*l.* or 12*l.* would suffice for this excursion, and began to seek an opportunity for departure. But this was not enough. I began to premeditate the seizure of what this venerable victim had with him in gold, bank notes, and his watch; but this did not satisfy me. Satan, who knew that he had my heart in his power, began to persuade me that it was not enough only to rob my master, and that if suspicion rested upon me the world would be ready to believe it: and as during the time I was at Camden Hill I read a book containing the history of thieves and murderers, being under the dominion of Satan I read it with pleasure, I did not think that it would be a great sin to place myself among them. On the contrary, I admired their skill and their valour. I was particularly struck

Digitized by Google

with the history of a young man who was born of very respectable parents, and who had spent his property in gaming and debauchery, and afterwards went from place to place stealing all he could. I admired his cunning, instead of feeling horrified at it; and now I reap but too well the fruit of those papers and books which I had too long suffered to supplant devotional works; and this book—yes, this book—was read by me with more attention than the holy Bible. Why so? Because my heart was under the dominion of Satan, and I had forgotten for more than a month to pray to God, or to read his word, and perhaps I had not prayed to this Divine Saviour sincerely and from the bottom of my heart for twelve months. 'Thou honourest me with thy lips while thy heart is far from me, wherefore thou honourest me in vain, and thy words condemn thee instead of justifying thee.' But all I have just said did not satisfy the wicked desires of my heart. I have not been contented with robbing my master, having satisfied the devil, whose slave I was. My master thought me the guardian and the protector of his property. Oh, what a Judas I have been!—of what sins have I not been guilty? If I ask myself what commandment have I transgressed? my conscience tells me, all. Alas, I know well that I have taken Satan as my God; this is contrary to the 1st commandment. 2nd.—I have adored the riches and the pleasures of this world, and I have loved them more than God. 3d.—I have often taken the name of the Lord in vain. 4th.—I have made the day of the Lord my day of pleasure and amusement. 5th.—I have disobeyed my parents. 6th.—I have murdered. 7th.—I have been in company with notorious debauchees. 8th.—I have robbed. 9th.—I have spoken ill of my neighbour. 10th.—I have desired the wealth of others. God says, however, that he who transgresses only one of his commands shall be excluded from the kingdom of heaven. He says that neither hypocrites, nor liars, nor thieves, nor murderers, shall enter the kingdom of God. I am, however, guilty of all these; and the good actions that I have done during my short life will not weigh as much in the balance of the justice of God as the wicked thoughts of my heart. If the transgression of a single commandment causes me to be condemned to death by the hand of man, what do I deserve at the hand of God after having disobeyed all the law, which is the commandment of God? What punishment do I now deserve? If, when I enjoyed a good character in the eyes of men, I was an abomination in the sight of God, what am I now before the Eternal? If I am the greatest of sinners in the eyes of my fellow-creatures, how shall I appear in the eyes of Him who knows all my actions, my words, and my thoughts? Condemnation and eternal sufferings are the portion I deserve."

During the time which intervened between the conviction and the execution of the wretched prisoner, he was once or twice visited by his uncle, a respectable servant in the service of Sir George Beaumont, to whom he made a statement, the substance of which was afterwards reduced to writing, and will be found to be subjoined. His general demeanour was befitting his awful situation, and he received with much attention the pious exhortations of the clergymen, by whom he was attended.

On Saturday the 4th of July, two days before his execution, he addressed his final confession to Mr. Carver and M. Baup. It explains several circumstances upon which the public had hitherto been left in the dark.

Digitized by Google

" Newgate Prison, July 4th.

" After all the false statements which have been published in the newspapers, I feel constrained to tell you again all things as I related them to you when my uncle was here. If there are any contradictions, it is because I did not rightly understand the persons who questioned me, or because my answers were not well understood. It is true that I have not told the truth to Mr. Flower, but I have stated the reason why I did not. The public think now I am a liar, and they will not believe me when I say the truth; therefore I pray you will correct all misunderstanding on the subject, and I think it is good that I should relate again all that has passed, and how it passed. The evil dispositions of my heart began by a strong dislike (hatred) of my situation, and by the wish for another situation. My next idea was that I could live at the expense of others. Then I thought that if I were to rob my master of 30*l.* or 40*l.* it would be so much gained, and I had afterwards the idea that by killing my master the robbery would be better concealed, and that I should have done with him all at once, and be ready for my journey. I took the plate out of the house on Saturday or Sunday evening. I was waiting for a favourable opportunity of accomplishing my design.

" Monday evening the 4th of May, I had an evil thought of putting my hand to the work, but, after I had forced the door, a remnant of conscience told me that I was doing wrong. I stopped about ten minutes without knowing what to do. I vanquished the temptation of the devil, and went to bed, after having put again the door in order. Oh, if I had but determined so, on Tuesday night, how happy I should be! I ought at least to have prayed to God, and thanked him for having preserved me during that temptation, but I went to bed like a dog, without thinking even that God had seen me. Tuesday evening, the 5th of May, I had some altercation with my master, but it was not worth the while to speak of it. When he was in bed I went down in the kitchen, where I remained about an hour and a half. During that time I placed all things in the state in which they were in the morning, in the passage, &c. I went up stairs, and going by the dining-room, I entered into it, and took a knife, I believe it was a great knife. I went up in Lord W. Russell's bed-room. When I opened the door I heard him asleep, and stopped for a while, thinking of what I was about to do; but the evil disposition of my heart did not allow me to repent. I turned up my coat and shirt-sleeve, and came near to the bed on the side of the window. There I heard a cry of my conscience, telling me, 'Thou art doing wrong;' but I hardened myself against this voice, and threw myself on my victim, and murdered him with the knife I was holding in my right hand. I wiped my hand and the knife with a towel, which I placed on the face of Lord William. I then took his keys, and opened the box in which he kept his bank-notes. The double napoleons which I found were more than I expected; I put them in a purse with the rings, &c. I took also the watch, and placed them all together in a basket till the morning. I placed a pair of shirt-buttons, a pair of spectacles, and ten sovereigns under the staircase carpet which goes from the drawing-room to Lord William's bedroom. I went to bed.

" On Wednesday, when the police had searched a little everywhere, I

Digitized by Google

perceived that they watched me more attentively than the other servants, and that they began to examine very carefully; I crept in the bottom of the scullery and seized the parcel I had put there during the night, and put it in my pocket. As soon as I was in my pantry, I placed the purse where it was found. One of the police came then to me, and told me I must go with him, so that I had no time to conceal the watch. I was kept in the dining-room the whole day, excepting the time my room was searched, and I could not get rid of the watch.

"On Thursday, the 7th of May, when I went to bed, I took what I had placed under the staircase carpet.

"Friday morning, I wrapped the sovereigns in some paper, and concealed them in my stocking. I went down to the pantry. Nobody being there, I placed the watch and the ring where they have been found. The policemen came then in the pantry to shave and wash themselves. I went to the kitchen and burned the watch-ribbon. I did not know what I was to do with the seals and two watch-keys. I could not get rid of them for the present, and was replaced in the dining-room. All the morning I entertained the hope that the things I had hidden would not be discovered. I broke one of the watch-keys in three or four pieces, and then threw them in the fire-place. I broke also the top and the bottom (the two extremities) of the other. After they had found the purse, &c. they brought me down into the pantry, where I staid for some time. One of the inspectors went then into the scullery, in which I entered also, thinking of a place where I could conceal the two seals and the watch-key, the two extremities of which I had broken. The inspectors stooping to look under the sink, I placed the great seal where it was found, and threw the broken key among some old rubbish in the bottom of the scullery. I then came near the door. After that, two inspectors and two masons being there, when I saw them busily engaged I let the small seal fall to the ground, and put my foot upon it in order to bend it. I stooped, as if looking under the boiler, took up the seal with the left hand, and rose up. I leaned my hand against the wall for a time, waiting for the moment when those who watched me should turn their heads, and succeeded in placing the seal behind the pipe where it was found. The inspectors went out thence to the kitchen, excepting one, who remained in the pantry with me for about an hour. During that time I let fall the small locket of Lord William's, and two sovereigns. They took me then to my room, where I was searched, for the first time. I had two policemen with me. They made me draw my boots, but not my stockings. I went not to bed on Friday night, nor on Saturday. On Sunday night I went to bed for five minutes, but I did not draw off my stockings. They made me rise up, and led me into prison. When I was in Tothill-fields prison they searched me very carefully. I feigned to be very cold and shivering, as a person who has the trembling fever, thinking they would let me keep my stockings on, but they told me to take them off, as I had three stockings, two on the right leg. I first took off the stocking which was alone, and then one of the others. When they were feeling if there was any pin or needle I placed my hand under my heel and concealed the ten sovereigns in a paper, under the thumb of my hand. The following morning they made me take a bath, when I had a good opportunity of hiding them on my person, where they remained till the morning of the day I came to Newgate. I thought that I should perhaps

Digitized by Google

be examined more closely, and that, should that money be found on me, it would be sufficient to condemn me to death; but other evidence was found, and this was not wanted. I placed one behind the post of a bench in the cell of Bow-street, the last time I appeared before the magistrates; three on the top of the door, one on the window, as I believe, and four or five in the pit of the water-closet.

"This is, reverend sir, to the best of my recollection, a faithful account of what has passed since the time I conceived the dreadful idea of robbing and murdering my master to the day I came to Newgate. I wish to express to you my deep gratitude for the spiritual instruction you have given me, and your interest in the salvation of my soul.

"I am, my dear Sir,

"Your humble and thankful servant,

"F. B. COURVOISIER."

On the following day, the condemned sermon was preached by the Rev. Mr. Carver, in terms befitting the occasion on which it was delivered.

The wretched criminal still appeared deeply sensible of his crime, and remained in prayer during the greater part of the day. At about eight o'clock in the evening he retired to rest, but awoke again at twelve, and then he gave directions that he should be called at four o'clock. At that hour he arose and dressed himself, and was occupied until the arrival of Mr. Carver in writing letters in the French language to some of his relatives. The reverend gentleman immediately entered upon prayer with the prisoner, affording him all the spiritual consolation which the situation in which he stood would admit. A few minutes after the arrival of Mr. Carver, M. Baup was introduced to the cell by Mr. Sheriff Wheelton, and this reverend gentleman also joined in prayer with the criminal.

At half-past six o'clock Mr. Newman, the principal turnkey of Newgate, was ordered to take the sacramental bread and wine into the prisoner's cell; and, in a few minutes afterwards, the holy sacrament was administered to him. The prisoner received it with great fervency of manner. After the conclusion of this religious rite, Calcraft, the executioner, entered the cell, with a black bag containing a rope, with which his arms were to be pinioned. The prisoner clasped his hands together to undergo the operation, and in this position the rope was put round his arms and wrists. The reverend ordinary continued to pray with him for some time, and put several questions to him as to whether he was fully penitent for the crime he had committed, and whether he believed in the atonement of the Saviour; to which he replied in the affirmative, in barely audible whispers, accompanied by an expression of countenance which but too plainly showed the deep anguish of his soul. As he spoke he wrung his hands, and as far as the ropes with which he was bound would allow, raised them upwards. His form was much attenuated, and his eye expressive of the deepest mental suffering.

The scene without the jail afforded a strong contrast to that which was passing in the condemned cell.

The scaffold was raised at a very early hour in the morning; and, by six o'clock, the crowd collected in front, and filling all the adjacent places from which any view of the apparatus of death could be obtained, was immense. The people were pressed together in the compactest mass; and

Digitized by Google

we believe it to be a moderate calculation when we state, that twenty thousand persons at least must have witnessed this memorable execution. So great indeed was the anxiety felt to procure a favourable station, that some hundreds of individuals had taken up their position in front of the Debtors'-door of the Old Bailey as soon as ten o'clock on Sunday night, cheerfully exposing themselves to the inconvenience of standing in the open air during the whole of the night, in order that their curiosity might be fully gratified in the morning. The windows of the neighbouring houses were all occupied by spectators, who in most instances paid a high fee for their places; whilst others, who had less money to spare, but more nerve, ascended to the roofs, and perched themselves in the most precarious situations. Among the crowd there was a considerable sprinkling of females and boys, and the number of men-servants present was remarkable, as evincing the fearful interest taken in the culprit's fate by the class to which he had belonged. In the long interval between the assembling of the multitude and the hour of execution, a few incidents, such as the futile attempts of some daring individuals to attain an enviable eminence without the ceremony of paying, or the tossing about of a stray hat or bonnet, occasionally excited bursts of merriment; but in general the demeanour of the mob was decent and proper for the solemn occasion which had drawn them together. A numerous body of city police was on the spot in front of the scaffold and dispersed through the crowd, and their conduct and arrangements for the preservation of order were in every respect commendable. At five minutes to eight o'clock the dismal sound of the prison-bell struck upon the ear, and immediately the vast multitude uncovered. This was a moment of intense excitement; it was impossible to behold the mob, with their heads all bared, and their eyes all eagerly directed towards the gallows, without the deepest feeling of awe; and the spectacle thus exhibited was enough in itself to have struck terror to the heart of the miserable felon, whose ignominious fate rendered him the sole gaze of such an immense mass of human beings.

The solemn and dreadful ceremonies in the prison in the mean time had been completed, and the usual procession was formed shortly before eight o'clock. The wretched culprit at this period displayed extraordinary nerve. His step was firm and unwavering; and, while his countenance was pale, and exhibited great dejection, it was calm and unmoved. At two minutes past eight o'clock he ascended the steps of the scaffold, and advanced, without looking round him, to the centre of the platform, followed by the executioner and the Rev. Mr. Carver. On his appearance a few yells of execration escaped from a portion of the crowd; but the general body of the people, great as must have been their abhorrence of his atrocious crime, remained silent spectators of the scene which was passing before their eyes. While the executioner was placing him on the drop, he slightly moved his hands (which were tied in front of him, and strongly clasped one within the other) up and down two or three times; and this was the only visible symptom of any emotion or mental anguish which the wretched man endured. His face was then covered with the cap, and the noose adjusted. During this operation he lifted up his head and raised his hands to his breast, as if in the action of fervent prayer. In a moment the fatal bolt was withdrawn, the drop fell, and in this attitude the murderer perished. He died without any violent struggle. In two minutes after he had fallen,

Digitized by Google

his legs were twice slightly convulsed, but no further motion was observable, excepting that his raised arms, gradually losing their vitality, sank down from their own lifeless weight.

After hanging one hour, the body was cut down and removed to the prison, and it was buried within the precincts of the jail on the same evening at eight o'clock.

He admitted, a short time before his execution, that he had contemplated self-destruction; but the vigilant superintendence under which he was kept ever since he was placed within the walls of Newgate, rendered it impracticable for him to carry his meditated scheme into execution. It is related, that he proposed to take away his life by bleeding himself to death, and the following statement was published with regard to the discovery of his object:—

At half-past ten on Sunday night, Mr. Cope went to Courvoisier's room, and told him that he must go to bed. Upon receiving this intimation he seemed dissatisfied, and expressed unwillingness to strip. Mr. Cope, however, insisted that he should pull off his clothes, and the turnkeys received directions to take away even his shirt. Mr. Cope then narrowly searched the clothes, and in the coat-pocket he found a strip of cloth folded up carefully. When Courvoisier saw the cloth in the governor's hand, he acknowledged that he intended to use it as a means of destruction. "In what way?" asked Mr. Cope. "I intended," said he, "to tie it tight round my arm, and to bleed myself to death in the night." "But how," said Mr. Cope, "could you have bled yourself?" "I had made preparation," said he. "I had been looking about for a pin, but not being able to find one, I sharpened a bit of wood which you light your fires with, and I intended to bleed myself with that." "Where is that wood?" said Mr. Cope. "That, too," replied Courvoisier, "you have deprived me of by changing my bed, in which I had deposited it." He then described to the governor the manner in which he intended to get rid of life; and he declared he could easily have accomplished the object, if he had not been prevented by the caution of the governor. He stated then that he had, while in the water-closet, torn the extra cloth along the seams in the inside of his trousers and fastened it together, for the purpose of using it as a ligature. Mr. Cope examined the mattress, which he had caused to be removed on Sunday night, but no piece of wood was found in it; and it is believed that, in the confusion of removing it, the instrument dropped unperceived and was lost.

The wretched malefactor, at the time of his death, was twenty-three years of age, and was born of decent parents in Switzerland. Having received a moderately good education, he is reported to have come to England to his uncle, who has been before alluded to, through whose instrumentality he obtained several most respectable situations. In his career in the metropolis he does not appear to have been guilty of any conduct likely to draw upon him general attention, and the dreadful crime of which he was guilty seems to have been rather the result of a sudden impulse than of pre-determined malice. The motive which prompted the deed, it is clear from his confession, was that of avarice; and while the human mind cannot sufficiently abhor an act of so atrocious a character, levelled against an aged and infirm man, unable to make any resistance, by his servant, whose duty it was to protect and assist him rather than assail him, one

Digitized by Google

is at a loss to understand how a man of virtuous and sound mind could quit the path of rectitude, and, with such an object, commit so foul a murder.

It is not a little remarkable, that two members of the Bedford family met with sudden deaths before the noble lord whose destruction we have just related, though in neither instance by the hands of an assassin. A former Duke of Bedford, and the Marquis of Tavistock, the father of the deceased nobleman, were both of them killed while hunting.

EDWARD OXFORD.

TRIED FOR HIGH TREASON, IN SHOOTING AT THE QUEEN.

WHILE yet the public mind was occupied with the contemplation of the crimes of Courvoisier and Gould, which we have just related, and before the termination of the inquiries which took place in reference to those culprits, an occurrence of a yet more striking character,—more calculated to excite interest, because levelled at the life of the sovereign, and therefore, at the welfare of the country,—an attempt to shoot her Majesty, Queen Victoria, took place. Happily for the honour of the country, this attack turned out to be that of a maniac; but melancholy indeed would have been the result, if an attempt, so dreadful in its consequences to the nation, had not been rendered unsuccessful by the all-powerful hand of Providence. In the case of Courvoisier, we have seen the inscrutability of the ways of the Almighty exhibited in the detection of a murderer; here we perceive His all-seeing eye watching over and protecting our Queen from the assassin's blow, and thereby best securing the interest of our country.

The circumstances immediately attending this dreadful attempt, as well as the early life of the offender, will be best described by our reciting the proceedings which took place at the trial of Oxford, for the offence charged against him, at the Central Criminal Court, on Thursday the 9th of July, 1840, before Lord Denman, Mr. Baron Alderson, and Mr. Justice Patteson.

The prisoner had been indicted at the previous sessions; but his trial was postponed, on the ground of the absence of witnesses, whose evidence was material to the defence of insanity, which it was intended to set up on the part of the prisoner. Upon the occasion of the arraignment of the prisoner, and throughout the whole of his imprisonment previously to his trial, he exhibited an extraordinary degree of apathy. His observations during his confinement were principally directed to the degree of excitement which his case had made in the world, and the interest which was exhibited to see him; and he appeared to view his crime and its consequences to himself as of slight importance in comparison with the notoriety which he was likely to obtain. On his being placed at the bar, to plead to the indictment preferred against him, he looked round the court with a self-complacent gaze, at the same moment eagerly inquiring of the jailor whether any person of distinction was present. A smile was observed to be constantly lingering on his lips; and on the reading of the

Digitized by Google

indictment, which we subjoin, he frequently burst into fits of laughter. He was a well-looking youth, and was attired in a manner superior to his situation in life. The indictment was in the following terms:—

"Central Criminal Court, to wit.—The jurors for our lady the Queen, upon their oath present, that Edward Oxford, late of Westminster, in the county of Middlesex, labourer, being a subject of our lady the Queen, heretofore, to wit on the 10th of June, in the year of our Lord 1840, within the jurisdiction of the said court, as a false traitor to our lady the Queen, maliciously and traitorously, with force and arms, &c., did compass, imagine, and intend to bring and put our said lady the Queen to death. And to fulfil, perfect, and bring to effect his most evil and wicked treason, and treasonable compassing and imagination aforesaid, he the said Edward Oxford, as such false traitor as aforesaid, to wit, on the said 10th day of June, in the year of our Lord, 1840, aforesaid, and within the jurisdiction of the said court, with force and arms, maliciously and traitorously did shoot off and discharge a certain pistol, the same then and there being loaded with gunpowder and a certain bullet, and which pistol he the said Edward Oxford then and there had and held in one of his hands at the person of our said lady the Queen, with intent thereby and therewith maliciously and traitorously to shoot, assassinate, kill, and put to death our said lady the Queen. And further, to fulfil, perfect, and bring to effect his most evil and wicked treason and treasonable compassing and imagination aforesaid, he the said Edward Oxford, as such false traitor as aforesaid, afterwards, to wit, on the said 10th day of June, in the year of our lord 1840, aforesaid, and within the jurisdiction of the said court, with force and arms maliciously and traitorously did shoot off and discharge a certain other pistol, the same then and there being loaded with gunpowder and a certain bullet, and which pistol he the said Edward Oxford then and there had and held in one of his hands, at the person of our said lady the Queen, with intent thereby and therewith maliciously and traitorously to shoot, assassinate, kill, and put to death our said lady the Queen, and thereby then and there traitorously made a direct attempt against the life of our said lady the Queen, against the duty of the allegiance of him the said Edward Oxford, against the form of the statute in that case made and provided, and against the peace of our said lady the Queen, her crown, and dignity."

To this indictment the prisoner pleaded "Not Guilty," and upon the application for the postponement of his trial being granted, he appeared considerably disappointed at his being unable to remain any longer in court.

On the day of his trial, he observed the same demeanour, but he occasionally became more serious, and gave evident signs of his being now aware of the danger of his position. The same smile was, however, still observable, and the same eager curiosity and gratification at the crowded state of the court were exhibited by him.

The prosecution was conducted by the Attorney-General, the Solicitor-General, Sir F. Pollock, Mr. Adolphus, Mr. Wightman, and Mr. Gurney; and Mr. Sidney Taylor, and Mr. Bodkin, appeared for the defence.

The court was crowded to excess during the two days occupied by the trial, by persons of distinction.

The Attorney-General opened the case to the jury in the following address. He said "Gentlemen, the prisoner stands charged with the crime of high

Digitized by Google

treason, the greatest crime known to the law, and he stands charged with that offence in its most aggravated form; he is charged with having made a direct attempt on the life of the sovereign. Gentlemen, that crime, according to the law of this country, and, indeed, of all countries in which monarchy is the form of government, must be considered as very heinous. By an act passed in the twenty-fifth year of the reign of King Edward III., by which the law of high treason in this country was defined, it is enacted, that if any one shall imagine and compass the death of the sovereign, and be guilty of an overt act to show the intention of such a crime, he shall be guilty of high treason. The offence is imagining and compassing the death of the sovereign, and that is to be proved by some overt act. It is upon this act, which has constituted the great safety for the liberties of England ever since it passed, that the prisoner is now indicted. The mode of conducting the trial is regulated by an act passed in the 40th year of the reign of King George III., the effect of which is this, that where in a trial for high treason the overt act to be proved shall be a direct attempt on the life of the sovereign, the trial shall be conducted in the same manner as in cases of murder. The object of this act was to give to the life of the sovereign the same protection as is afforded to the meanest subject of the land, because, before this statute, it was necessary, on an indictment for high treason, even where the life of the sovereign was attempted, or where that life had fallen a sacrifice to the wicked attempt, to prove the overt act by the testimony of two witnesses; and there were a number of forms required, which are most salutary and proper when the charge bears a political aspect, where the treason under consideration is allied to a rebellious conspiracy, where the circumstances to be considered may constitute constructive treason, or where the case presents a supposed difficulty in bringing the charge home to the prisoner, but which, when the overt act is an attempt directly at the life of the sovereign, the law, in its wisdom, has not deemed necessary. Gentlemen, the party now accused will have an ample opportunity for his defence; on his own application his trial was postponed, and he is now defended by my two learned friends opposite, of great ability and experience, and my learned friend, Mr. Sidney Taylor, will have an opportunity of addressing you, and of bringing forward all that can be urged in his favour. From the affidavit which was made in support of the application to the learned judge (Lord Chief Justice Tindal), we are informed that two questions will be submitted to your consideration. The first is, whether, supposing the prisoner to be accountable for his actions, he is guilty of the offence laid to his charge; and the second will be whether, at the time he committed the act, he was accountable for his actions. Now, gentlemen, the burden of the first issue is entirely upon the prosecution. The prisoner is still presumed to be innocent, and, unless clear and satisfactory evidence be produced to establish his guilt, it will be your duty to acquit him; but if, upon the evidence which I am instructed to lay before you, you should see no reason to disbelieve the witnesses, I cannot anticipate that any reasonable doubt can arise. The prisoner at the bar is, as you perceive, a young man, about eighteen or nineteen years of age, although you would hardly suppose that he was so old. He was born, as I understand, at Birmingham. He came when very young to London, and was sent to school at Lambeth. He afterwards served in many public-houses, in the capacity of what is called a barman. He first went, as I understand, to superintend

Digitized by Google

the arrangement of the business of the bar at a public-house in Houndsditch, and then at one in High-street, Marylebone. He was next at another public-house, in Oxford-street. It seems that he left that service about the end of April. He then went into lodgings at No. 6, West-place, West-square, Lambeth, and that lodging he made his home till the period when this offence was committed. Gentlemen, it would appear that he had formed and matured a plan to make an attempt on the life of the sovereign. On the 4th of May, in the present year, when he was at his lodgings, he bought a pair of pistols from a person named Hayes, living in Blackfriars-road, for the sum of 2*l*. He bought at the same time a powder-flask. It will appear by the evidence that he practised shooting in shooting-galleries. He was at a shooting-gallery in Leicester-square, at a gallery in the Strand, and at another at the west end of the town. On Wednesday, the 3rd of June, a week before the day laid in the indictment, he went into the shop of a person named Gray, with whom he had been at school, in Bridge-road, Lambeth, and bought half a hundred copper caps to be used for firing. He asked Gray at the same time where he could buy some bullets, and three-penny worth of gunpowder. He was told where the bullets could be had, and Gray sold him some gunpowder. On the evening of the 9th of June he showed a loaded pistol; and when asked what he meant to do with it, he refused to tell, but said that he had been firing at a target. I now come, gentlemen, to the day in question, the 10th of June. You are probably aware that it is the custom of Her Majesty, Queen Victoria, since she has been united with Prince Albert, frequently to take an airing in the afternoon or evening in the Parks without any military escort, and with the simplicity of private life. This custom was well known to all her loyal subjects, and indeed to the whole community. It will appear that on this day, Wednesday, about four o'clock, the prisoner went into the Park. He saw Prince Albert returning from Woolwich, and going to the palace. The prisoner then went to Constitution-hill, and there remained expecting the appearance of the Queen. About six o'clock, the Queen, accompanied by her royal consort, left the palace in a low open carriage, drawn by four horses, and with two outriders, who went before, but with no other attendants. Her Majesty was seated on the left side of the carriage, and Prince Albert on the right. The carriage was driven up Constitution-hill. About one hundred and twenty yards from the Palace—that is, about one-third of the distance between the Palace and the Triumphal Arch there was the prisoner, Edward Oxford, watching their progress. He walked backwards and forwards, with his arms under the lapels of his coat. He was on the right-hand side, near the iron railings which divide Constitution-hill from the Green Park. When he saw the carriage, he turned round towards it; he drew a pistol from his breast, and then, as the carriage went on, discharged it. The providence of God averted the blow from her Majesty. The ball was heard to whiz by on the opposite side. In all probability her Majesty was quite unconscious at that moment that any attempt had been made upon her life. The carriage proceeded. The prisoner then looked back to see if any one was near to perceive him; he drew another pistol from his breast, whether with his right hand or his left is uncertain, and aimed at her Majesty. It would appear that her Majesty saw him fire, because she stooped down. Again the providence of God interfered. The prisoner fired, the ball was heard to whiz on the

Digitized by Google

Digitized by Google

Cupid skeeting at the Pair o

P. 58.

Drawn from Nature by Thomas Rowlandson

other side—her Majesty escaped. The Queen immediately drove on, to allay the alarms which might be caused by news brought to her august parent with respect to an event so momentous. There was a considerable number of persons on the side of the Park between the road and the gardens of Buckingham Palace. Curiosity and loyalty had led many persons to that spot, in the expectation of her Majesty showing herself to her subjects. There was a man named Lowe, whom I shall call as a witness, who immediately rushed across, seized Oxford, and took the pistols from him. That person at first was believed to be the offender by the parties around, who said, 'You confounded rascal, how dare you shoot at our Queen?' On which Oxford said, 'It was I.' He was immediately taken into custody, and taken to the station-house, where he voluntarily put the question, 'Is the Queen hurt?' and on being told the Queen was not hurt, he was asked whether there were not bullets in the pistols, and he admitted at once that there were bullets. When he had been secured, and when it had been ascertained that his lodgings were, as he said, in West-place, West-square, a policeman was immediately despatched to search them. The prisoner occupied a room on the first pair back. The door of the room was open. The policemen found a box which undoubtedly belonged to the prisoner. That box was locked; but I shall show that he had in his pocket a key that fitted it, and that he acknowledged that it was his box, as were also the contents. The box was opened, and in it were found the following articles:—A sword and scabbard, two pistol-bags, some black crape, a powder-flask, three ounces of powder, a bullet-mould, five leaden bullets, and some percussion caps marked, and which had been bought by the prisoner from Gray, his schoolfellow. There was also found a pocket-book containing some papers. The box and its contents were brought to the station-house and shown to the prisoner, who stated that the papers belonged to him and that he meant to have destroyed them in the morning before he went out. These papers I will now read. The first bears no date: it is headed 'Young England;' and the rules and regulations are eleven in number. The learned gentleman then read the following paper:—

"'YOUNG ENGLAND.

RULES AND REGULATIONS.

"'1. That every member shall be provided with a brace of pistols, a sword, a rifle, and a dagger. The two latter to be kept at the committee-room.

"'2. That every member must, on entering, take the oath of allegiance to be true to the cause he has joined.

"'3. That every member must, on entering the house, give a signal to the sentry.

"'4. That every officer shall have a factitious name. His right name and address to be kept with the secretary.

"'5. That every member shall, when he is ordered to meet, be armed with a brace of pistols (loaded) and a sword to repel any attack; and also be provided with a black crape cap, to cover his face with—his marks of distinction outside.

"'6. That whenever any member wishes to introduce any new member, he must give satisfactory accounts of him to their superiors, and from thence to the counsel.

Digitized by Google

"'7. Any member who can procure an hundred men shall be promoted to the rank of captain.

"'8. Any member holding communications with any country agents must instantly forward the intelligence to the secretary.

"'9. That whenever any member is ordered down the country or abroad, he must take various disguises with him (as the labourer, the mechanic, and the gentleman), all of which he can obtain at the committee-room.

"'10. That any member wishing to absent himself for more than one month must obtain leave from the commander-in-chief.

"'11. That no member will be allowed to speak during any debate, nor allowed to ask more than two questions.

"'All the printed rules to be kept at the committee-room.

"'LIST OF PRINCIPAL MEMBERS.

'FACTITIOUS NAMES.

President—Gowrie	Council—Ethelred	Captains—Oxonian
Justinian	Ferdinand	Mildon
Aloman	Nicholas	Louis
Coloman	Gregory	Amadeus
Kenneth	Generals—Frederic	Lieutenants—Hercules
Godfrey	Augustus	Neptune
Council—Hanibal	Othoe	Mars
Ernest	Anthony	Albert.
Augustin		

'MARKS OF DISTINCTION.

'*Counsel*—A large white cockade. *President*—A black bow. *General*—Three red bows. *Captain*—Two red bows. *Lieutenant*—One red bow.

"'A. W. SMITH, Secretary.'

"There were in the same pocket-book three letters, purporting to be orders addressed by the same secretary, Smith, to Oxford: the first was as follows:—

"'Young England, May 16, 1839.

"'SIR—Our commander-in-chief was very glad to find that you answered his questions in such a straight-forward manner; you will be wanted to attend on the 21st of this month, as we expect one of the country agents in town on business of importance. Be sure and attend.

"'A. W. SMITH, Secretary.

"'P.S. You must not take any notice to the boy, nor ask him any questions.'

"Addressed—'Mr. Oxford, at Mr. Minton's, High-street, Maryleb ne.'

"The next letter ran thus:—

"'Young England, Nov. 14, 1839.

"'SIR—I am very glad to hear that you improve so much in your speeches. Your speech the last time you were here was beautiful. There was another one introduced last night by Lieutenant Mars, a fine, tall, gentlemanly-looking fellow, and it is said that he is a military officer, but his name has not yet transpired. Soon after he was introduced, we were alarmed by a violent knocking at the door; in an instant our faces were covered, we cocked our pistols, and with drawn swords stood waiting to receive the enemy. While one stood over the fire with the papers, another stood with lighted torch to fire the house. We then sent the old woman

Digitized by Google

to open the door, and it proved to be some little boys who knocked at the door and ran away.

"'A. W. SMITH, Secretary.

"'You must attend on Wednesday next.'

"Addressed—'Mr. Oxford, at Mr. Farr's, Hat and Feathers, Goswell-street.'

"The last was in the following terms:—

"'Young England, April 3, 1840.

"'SIR—You are requested to attend to-night, as there is an extraordinary meeting to be holden, in consequence of having received some communications of an important nature from Hanover. You must attend, and if your master will not give you leave, you must come in defiance of him.

"'A. W. SMITH, Secretary.'

"Addressed—'Mr. Oxford, at Mr. Robinson's, Hog-in-the-Pound, Oxford-street.'"

"Under these circumstances, gentlemen, if the prisoner is accountable for his acts, will you say whether there is any reasonable doubt of his guilt? I should tell you that the balls, after a strict search has been made, have not been found; but I think that no one can entertain any serious doubt that the pistols were loaded with balls. I understand there were marks on the wall, which were examined immediately afterwards, and which some conceive must have been made by the balls from the pistols. I shall lay this evidence before you, but I acknowledge to you freely my own conviction that much weight is not to be attached to it. To my own mind it seems more probable that the balls went over the wall. I shall show that Oxford was not skilful in the use of pistols; and it is probable, in the confusion and flurry under which he must have laboured at such a moment, that the pistols were directed unsteadily, and that the balls went over the wall. Can there, however, be a doubt that the pistols were loaded? He buys bullets, he had them at his lodgings, there was also a mould in which to cast bullets in his box: he had been firing at a target; he had been practising at a shooting-gallery; and at the time, whatever he may have said since, after asking whether the queen was hurt, he voluntarily declared that the pistols were loaded. Under these circumstances, it appears to me that if the prisoner was at the time accountable for his actions, there can be no doubt of his guilt. But it is for you to hear the evidence that shall be given, and you are the judges of the fact. I now come to the second question, Whether the prisoner was accountable for his actions at the time when the offence was committed? And I will at once admit, under the law of England, that if he was then of unsound mind—if he was incapable of judging between right and wrong—if he was labouring under any delusion or insanity, so as not to be sensible of his crime, or conscious of the act which he committed—if at the time when that act was committed he was afflicted with insanity, he will be entitled to be acquitted on that ground. In former times, it was said that there was some doubt upon the law, and some difficulty of acquittal on the ground of insanity. There was, as their lordships will recollect, an act passed in the time of Henry VIII., raising some doubt upon this point, when there was an attempt against the life of the sovereign. Happily, however, that act has been

Digitized by Google

repealed, and now we have both reason and justice on the side of the law of the land. But it lies upon a party setting up such a plea to make it out clearly and satisfactorily. It must be shown on his behalf, not merely that he was at times guilty of strangeness of conduct, or of extravagant acts—not merely that violence had been done by him, or offences committed—but it must be shown that at the particular time when the offence charged was committed, he was not an accountable being; that he was then labouring under some delusion, that he could not distinguish right from wrong, and that he was unconscious of committing any offence. Such, I apprehend, is clearly the law of the land, as it will be expounded to you by my Lord Denman and his learned brethren; and as this law is expounded to you by them, I have no doubt you will consider yourselves bound. It would be most dangerous to admit the plea of insanity, merely when it is shown that the prisoner labours occasionally under a degree of excitement, and that at former times he has been guilty of violence, if at the time when the crime is committed the party was not actually labouring under a delusion, but was aware of the object he had in view, and its consequences. I may mention for your information, that by the law of England, if exemption be claimed from a criminal charge on the plea of insanity, there is a greater necessity that mental aberration should be proved, than in civil transactions in which it is sought to annul a contract or to take away the management of a man's affairs. In criminal matters it must be proved that the insanity is existing at the time of the crime, and that it is connected with the crime committed. In civil matters it is enough to show that the party is of unsound mind, although it is not connected with the particular transaction." The learned Attorney-general having then referred to a great number of cases in support of the proposition which he had laid down, proceeded to say,—"I will now implore you, gentlemen, to consider whether, upon the evidence which will be produced, you are bound to say that the prisoner was insane at the time this crime was committed. I say most unaffectedly, that I should rejoice if such had been the case. I feel that I only speak the sentiments of all present at the time when he was guilty of this most atrocious attempt, when I say so. The crime, though levelled against any person of rank inferior to that of her majesty—putting out of the question the allegiance we owe to the head of the state, and the lamentable consequences which must have followed had this attack been successful—is of the deepest possible dye, and I say, that it would be a great relief to all who have respect for our common nature, if it be shown that the person who was capable of such an act was unconscious of what he was doing. But I have a duty to discharge to the crown and to the public, and I must say, that, so far as I have yet learned, there is no reason to believe that the prisoner at the time he committed this crime was in a state of mind which takes away his criminal responsibility for the deed. We do not find that, previously to this occurrence, he was ever treated by his friends as a maniac; but, on the contrary, he was placed in situations of trust and confidence, where he was called upon to perform duties of some difficulty, which he went through to the satisfaction of his employers, and as a reasonable being would. He is not an idiot, but, on the contrary, his proceedings throughout the whole course of his life show him to be a person of singular acuteness. I will refer to what passed when the prisoner was before the Privy Council. The witnesses were

Digitized by Google

examined; the prisoner had an opportunity, which he exercised, of cross-examining them; and, at the conclusion of the evidence, he was asked whether he wished to say anything or not. He was told that he was at liberty to give any explanation or not, as he pleased; and he was informed, that anything he said would be taken down, and read against him another day. On that occasion these were the words which he voluntarily uttered:—'A great many witnesses against me; some say that I shot with my left, others with my right. They vary as to the distance. After I fired the first pistol, Prince Albert got up, as if he would jump out of the carriage, and sat down again, as if he thought better of it. Then I fired the second pistol. This is all I shall say at present.' He was asked whether he would sign the statement? He said that he had no objection, and he signed it 'Edward Oxford.' This, gentlemen, may be material in two points of view—first, because at this time he did not say that there were no balls in the pistols; he made no allegation of that kind, but to the contrary; and, next, that he was then fully sensible of the act he had committed. Upon these facts, gentlemen, it is for you to say whether, at the time this act was committed, the prisoner was accountable for his actions. You will, I am satisfied, come to a right conclusion upon the evidence; you will consider all the facts that are proved; but, at the same time, you will consider that you have a great duty to perform; that duty you will perform with caution and with conscientiousness; you will, from the evidence, come to your decision, and of that decision the country will have no reason to complain."

The evidence for the prosecution was then gone through in corroboration of the statements of the learned Attorney-general, and Mr. Sidney Taylor addressed the jury for the defence. Having argued upon the facts of the case proved by the witnesses for the prosecution, upon which he contended, first, that it was quite consistent that the pistols were not fired at the queen, but with a view only to excite alarm; and, secondly, that the pistols might not have been loaded with ball, both of which were necessary ingredients of the crime; he proceeded, thirdly, to the equally important issue of insanity. With regard to this part of the case, he entreated the jury to pay the most earnest and solemn attention to it, for the issue raised upon it was of a most important character to the interests of the prisoner, and he hoped to be able to convince them of that which he was sure would shed universal satisfaction through the country, that the prisoner was not a person who wilfully and in the possession of his senses would commit this crime. He was sure that if they could conscientiously come to this conclusion, they would most willingly free the subjects of this realm from the imputation of having them one who would, under such circumstances, dye his hands in the blood of the sovereign. It was not the first time, unhappily, that the life of the sovereign of this country had been attempted to be taken away; but he rejoiced to say, for the sake of our national character, that in no one instance had such an act been done by a person possessing a sane mind. It had been proved in evidence that certain papers had been found in the possession of the prisoner; and that fact, which had been opened by the learned Attorney-general as an important feature in this case, he placed before them as a proof of the prisoner's insanity; and he contended that that only showed in him a mind diseased, which induced him to suppose the

Digitized by Google

existence of a society which, in fact, was never heard of, and of which certainly he was not a member. That no such society in fact existed, he thought he might take for granted, because if in truth there had been any such, beyond all question its members and its proceedings would have been discovered through the indefatigable exertions made through the means of the highly effective police possessed by this country, the operations of which would be called forth from the necessity of finding whether there was anything in reality beyond the mere act of the prisoner which portended danger to the state. He contended that it was morally impossible that such a society could be in existence, for he was sure that the executive government of the country would not be accessory to the throwing any slur upon its own character by admitting that such was the fact, and that all its ramifications had not been brought to light. The prisoner, he contended, must be taken to have believed that he belonged to such a society; but in order to prove the utter absurdity of such a belief, he would prove to the jury that the rules, as well as the letters and papers which had been found, were all in the handwriting of the boy at the bar—a striking and cogent proof, he thought, of his insanity. Every effort had been made to trace the real existence of such a society, but in vain; and he thought that the only inference which could be drawn from the existence of these papers was, that the mind of the prisoner had been worked upon by his own absurd fancy. With regard to the probability of his being selected to put into operation such a plan as that of the assassination of her Majesty, he would ask them whether it was likely that any political society would have employed a boy of his years and want of discretion to complete a scheme so important and yet so horrible? How was the act itself committed? The prisoner, amongst a number of other persons, in the open day, depriving himself of every chance of escape, had voluntarily been guilty of an offence which subjected him to condign punishment. Did he then attempt to escape? He did not; and even when another person was taken under the supposition that he was the man, he immediately came forward with a declaration that he was the person, as if courting publicity and apprehension. What, but insanity, could be inferred from these circumstances? Might he not well have dreaded his destruction by a mob inflamed and excited against the perpetrator of an attack so dreadful upon our young Queen? Yet, with a feeling which could be deemed nothing but insanity, he persisted in forcing himself into that very situation in which he could hope to meet with nothing but punishment. He was taken; having been seized, he was teased and excited, and gave answers which must not be taken into account as admissions that there were balls in the pistols. Since that time he had been the subject of great curiosity, and various statements, many of them false, had been made concerning him. He felt that the jury must come to the conclusion that he was of unsound mind at the time of the commission of the act, and that it would be as cruel as the supposed intended assassination itself to deliver him up to the same doom as a sane criminal. He should produce evidence to show the tendency of the boy's mind to insanity. His age was just that at which such a failing would be likely to develop itself; and as in all cases some particular period must occur at which such an aberration of intellect would first appear, so, notwithstanding all the apparent premeditation and contrivance which he had exhibited, the moment of his attack upon the life of his sovereign might be that at which it would exhibit itself.

Digitized by Google

He should show that the paternal grandfather of the prisoner had been insane, and died in a lunatic asylum. The father, it would be proved, had been guilty of acts which clearly proved he ought not to have been permitted to be at large. The opinion of the most eminent medical men was that the greatest proportion of cases admitted into lunatic asylums were cases of hereditary insanity, and if they were to refuse to consider the case of the prisoner in this light, they would be proving the truth of the words of a celebrated physician, that 'man's vengeance followed God's visitation.' Let them bear in mind that no ill consequences had followed this attempt. Her Majesty the next day had entertained a party at dinner, and had the evening after gone to a concert. That showed that her Majesty felt that this must have been the act of an isolated madman, and that she had nothing to fear from the machinations of any secret society. A great and illustrious female predecessor of hers was told by some officious courtiers of a conspiracy against her life; but she said 'I will not believe of my subjects anything that a mother would not believe of her children;' and such, he was convinced, were the sentiments of the present illustrious occupant of the throne. The papers found in the box of the prisoner seemed to be the commencement of the insanity, and the attempt itself the consummation of the insanity. The whole of the persons mentioned in the papers found in his box were creatures of his imagination; and the crape with the bows, the sword, and the documents showed that he was the victim of pitiable mental delusion, and the object rather of compassion than of vengeance. It was impossible to say in what variety of shapes the noble structure of the human mind might be ruined; and he contended, that the whole course of conduct of the prisoner, subsequently, as well as at the time of the commission of this supposed offence, exhibited him to be the victim of an absurd delusion, driving him to seek notoriety, by whatever means it was obtained, and not a person capable of any crime so dreadful as that alleged against him. His inquiries after the safety of the Queen showed his apprehensions, that by some accident her Majesty might have been unintentionally injured by the wadding from the weapons which he had discharged; and his declaration that the pistols were loaded with ball might equally be taken as a proof of his insanity, as the absurd desire for celebrity which had prompted him to the commission of such an act.

A vast body of evidence was then adduced with a view to support the defence of insanity which was set up. From it, it appeared, that the grandfather of the prisoner was a person of colour, and that he was frequently, when intoxicated, guilty of acts of the wildest and most wanton description. He was a sailor, and when on shore was constantly drunk; but in his old age he received the benefits of Greenwich Hospital, where he died, having from his good conduct gained for himself the rank of boatswain in the establishment, by virtue of which he was bound to mount guard at one of the gates. Expressions were proved to have been occasionally used by him, indicating a mind bereft of reason, and he was stated to have suffered severely at one period of his life from a fever. With regard to the father of the prisoner, evidence of a similar tendency was adduced. His wife, the mother of the prisoner, was called, and she gave a dreadful detail of the injuries which he had inflicted upon her subsequently to her marriage with him, and of the brutal treatment to which he had subjected her. He had several times taken poison in her presence, and had otherwise been guilty

Digitized by Google

of the most extraordinary and outrageous conduct. The prisoner, she proved, had been born in the year 1822, and throughout his life had exhibited symptoms of imbecility. He would frequently burst into tears, or into fits of laughing, without any assignable cause, and was in the habit of talking in a strain which exhibited a most anxious desire on his part to obtain celebrity in the world. He was always fond of the use of fire-arms, and frequently presented pistols at the head of his sister or his mother. Medical witnesses were also examined, who gave their decided opinion that the prisoner was in an unsound state of mind. The general result of their testimony went to show, that the ordinary senses of affection, and of personal fear for the consequences of the crime charged against him, the heinous nature of which he could not comprehend, as well as of memory, had disappeared from his mind; that he appeared incapable of estimating the importance of his trial as regarded his interests, and that he neither possessed any regret for the disgrace or pain which might be produced to his relations, nor apprehension for his own safety.

In reply to this evidence, the Solicitor-general (Sir T. Wilde) made a most powerful speech, with consummate skill arguing upon every branch of the proofs adduced to show the insanity of the prisoner, and contending that the jury should in nowise be influenced by any of the topics advanced in his favour upon the case for the prosecution, all of which tended to show his perfect calmness and self-possession, and the greatest degree of acuteness. He urged that the evidence of the madness of the prisoner's father and grandfather was incomplete and inconclusive, and that their drunken freaks could not be taken to have had any influence in producing the disease sought to be proved in the mind of the prisoner, and that the facts sworn to with regard to the early life of the latter were marks of the waywardness of an indulged child, and not of that species of madness which could free him from criminal responsibility.

Lord Denman summed up the evidence, and at the end of the second day's trial the jury returned a verdict, acquitting the prisoner, upon the ground of insanity.

He was ordered to be detained, in obedience to the terms of the statute, during her Majesty's pleasure, and was subsequently conveyed to Bedlam.

ROBERT TAYLOR.

CONVICTED OF BIGAMY.

On Monday the 29th of June, 1840, Robert Taylor, one of the most impudent impostors that we ever remember to have read of, was tried at the Durham sessions for polygamy. The offender was a mere youth, between nineteen and twenty years of age; but his numerous matrimonial adventures, and devices to obtain money, marked him as a person of singular cunning and dexterity. His plan seems to have been in all cases to practise first on the cupidity of his own sex, by holding out a pecuniary reward to any one who would procure him a suitable alliance, and then, by representing himself to be of aristocratic birth, and heir to extensive possessions, to dazzle and win over the victim and her friends. To aid his views,

Digitized by Google

he represented himself as a son of Lord Kenedy, of Ashby Hall, Leicestershire. He was furnished with numerous documents, framed to corroborate his misrepresentations. These, which he carried in a tin case, were found on his person when he was apprehended. Amongst them was a parchment, on which was written, in a fine clerkly hand, what purported to be "The last will and testament of Lord Kenedy," &c. By this document Taylor appeared to be the heir to 1,015,000*l.* Three per Cent. Consols, besides immense wealth in coal-mines, salt-factories, woollen-factories, quarries, machinery, houses, plate, jewellery, and even ships; and "John Nicholson, Thomas Johnson, and Mrs. Robinson" appeared to have been constituted "guardians of the said Robert Taylor." The documents bore date 22nd of September, 1829, and exhibited the signatures, first, of the supposed testator "Kenedy," and then of the attesting witnesses, "Samuel Robinson, clerk to James Lee, and John Turner," and "William Cowley, barrister." He had also an indenture certifying the correctness of the will, and describing his person by certain marks on his right arm, and elsewhere. He had sundry other papers ingeniously enough contrived for the purpose of aiding his deception; but, as he was a youth of coarse and vulgar manners, the success which attended his impostures can only be accounted for by the blind avarice of his dupes. At the time of his trial, six of his marriages, in several parts of the north of England, had come to the knowledge of the police; but there was good reason to suppose that there were many other instances in which he had successfully conducted his plans. Like many who have pursued a career of base and unprincipled deception, this scoundrel affected great sanctity, and connected himself at different times with both the Wesleyan and Primitive Methodists. Indeed, one of his principal dupes was a Mr. Fryer, a preacher in the last-named connexion; and Taylor, having promised a reward of 10*l.* to any one who would procure him a young and religious wife, this person offered him the choice of his two sisters-in-law. Taylor chose the younger, a girl about eighteen years of age, and was married to her. This preacher not only failed to obtain the expected reward, but was swindled out of 12*l.* which he lent to the roguish adventurer. This, however, proved the last of his exploits; for having made several fruitless attempts to run away from this wife, he was at length compelled to take her with him, and on his way through the county of Durham he was apprehended.

The budget of papers found in the prisoner's possession contained a multitude of curiosities besides those above alluded to, which our space will not allow us to particularise. It appeared from one of them, an indenture of apprenticeship, that at the age of thirteen he had been apprenticed to a sweep and collier in Staffordshire, till he should be twenty-one years old. The indenture described him as a poor child from Fatfield, in the county of Durham. There were several licences and documents relating to his marriages. One of these was a memorandum of an agreement between Robert Taylor and Mary Wilson, of Newcastle-on-Tyne, to marry in three months from October 16, 1839; Taylor to forfeit 20,000*l.* if he married any other woman, and Mary Anne to forfeit one-third per annum of her yearly salary if she proved faithless. Annexed to this was a memorandum of a loan of 4*l.* from Mary Anne's father, with an engagement, on the part of Taylor, to pay 1*l.* per annum interest. Many of the papers related to the prisoner's connexion with the Wesleyan and Primitive Methodists, and with

Digitized by Google

the Teetotallers, of which latter society he appears to have been a staunch adherent. The most curious paper was "a memorandum of agreement made between Robert Taylor, Esq., son of the late Lord Kenedy, of Ashby Hall, in the parish of Ashby-de-la-Zouch, and those he may engage as servants." We regret that we cannot give this amusing document entire. It bears what purports to be the prisoner's signature, and from it he appears to have engaged an establishment of stewards, butlers, footmen, grooms, coachmen, gamekeepers, helpers, &c., at salaries of from 20*l.* to 60*l.* per annum, sufficient for half-a-dozen princes. The stipulation of the engagement was, that the servants, butlers included, were to observe the teetotal pledge.

When the prisoner was placed at the bar to take his trial, the court was excessively crowded, and all eyes were fixed upon the young Lothario who had so readily succeeded in procuring half-a-dozen wives. Instead of a handsome, seductive gallant, there stood before the court a shabby-looking individual, with a face not merely ordinary, but repulsive. He was evidently much amused at the sensation which his appearance produced, and joined in the smiles of the bystanders. He was perfectly unabashed, and conducted himself throughout the trial with the utmost ease and unconcern.

The first case taken was that of the prisoner's intermarriage with Mary Ann Davidson, the sister-in-law of Mr. Fryer, the Primitive Methodist preacher. John Wood, a waggoner, of Birmingham, was called to prove the first marriage of which the authorities had any knowledge. It appeared, that this witness met the prisoner in Birmingham, in 1838. The prisoner told Wood he was heir to 60,000*l.* a-year, under the will of his father, Lord Kenedy. In proof of this assertion he produced papers. He said he had a great wish to be married to a respectable young lady, and if Wood could introduce him to such a one, he would make him a handsome present. Wood introduced him to Miss Sarah Ann Skidmore, and to her father, who was a shopkeeper. The documents were shown to the young lady and her parents; the licence and the wedding-ring were procured that very day; and the couple were married the next morning. Shortly after, the prisoner went to London to settle his affairs. He subsequently returned and lived with his wife; but he had not been married more than six or seven weeks when he deserted her altogether.

As the prisoner was undefended, the court asked him if he had any questions to put to the witness.

Prisoner: "I'll ax him one or two. I axed you if you knew a decent girl as wanted a husband, and you said you did; you knew as how one Sarah Ann Skidmore wished to be married, and I told you I'd advertised, and offered a reward of 10*l.* You took me to Benjamin Skidmore. Now, are you sure as how he saw the dockyments?"

Witness: "Yes, quite sure; you showed him a document stating that you would have 60,000*l.* a-year when you came of age."

Prisoner's mother (from the middle of the court): "Robert, tell them thou's under age, and thy marriage can't stand good."

The prisoner gave a lordly wave of the hand, accompanied by a significant gesture, intimating to his maternal parent to leave the management of the case to his superior skill. Then, turning to the witness, he said, "Are you sure that you yourself saw the will?"

Digitized by Google

Witness: "Yes."

Prisoner: "No, it was not the will; it was only the certicket of my guardians to show who I was, and what property was coming to me."

Here Mr. Granger, the counsel for the prosecution, drew forth the tin case, which was a pitman's candle-box, bearing the following inscription, "Robert Taylor, otherwise Lord Kenedy." From this case the learned counsel drew the "dockyments." The "will" was rich alike in its bequests and its odours. It was a foul and filthy affair to look upon and to approach. Disregarding the usual long and dry prefaces in which lawyers are accustomed to indulge, it rushed at once into the marrow of the subject. Mr. Granger tickled the ears of the court with a line or two. Thus:—"I give and bequeath to Robert Taylor, son of Elizabeth Taylor, single woman, 1,015,000*l.* Three per Cent. Consols and no more." The will proceeded to bestow upon him four coal-pits, a woollen-factory, two or three ships, and sundry other trifles, as before mentioned.

Mary Davidson, a neat, modest-looking girl, detailed the circumstances which led to her marriage with the prisoner. The latter, she said, was introduced to her at the house of her father, on the 4th of April, by Benjamin Fryer, her brother-in-law, who was a preacher among the Primitive Methodists. The latter said he had known the prisoner some time, and he recommended him as a pious young man whom he had brought to the house on purpose to marry her. The prisoner said he was the son of Lord Kenedy, and the moment he arrived in London with a wife he would have 700*l.*, and 20*l.* a year till he was of age, when he would have 60,000*l.* per annum. He showed her several documents, one of which was a certificate that he was Lord Kenedy's son, and would have 60,000*l.* a year when he came of age. He had previously seen her unmarried sister, whom he rejected in favour of her. They were married, by licence, the very next morning. They lived together three weeks, during which time the prisoner had made several attempts to get away; and many times, in the night, he had endeavoured to slide the ring off her finger. While they were together, he lived upon the money which he borrowed from her brother-in-law, to whom he owed 22*l.*

The prisoner being again directed to ask the witness any questions he pleased, said, placing his hands upon the bar, and leaning forward in a counsellor-like attitude, "Now, Mary, are you certain that I had 22*l.* from your brother-in-law?"—Witness: "You had 12*l.* in money, and you were to pay him a reward of 10*l.*"

Prisoner: "You say I had 12*l.* in money, Mary. Now there was 10*s.* to be paid for the ring, 5*s.* for fees, 3*l.* 10*s.* for the licence, and 8*l.* I had in money, which makes 12*l.* 5*s.* So you see, Mary, you are wrong. You was also wrong when you said I told you I was to have 20*l.* per annum per year."—Witness: "You said 20*l.*"

Prisoner: "No, Mary, I said 150*l.* per year per annum. And I wish to ax you if I didn't say, 'Will you have me, money or no money?'"—Witness: "No, you did not."

Prisoner: "Yes, Mary, I axed you, would you have me, money or no money, and you consented either way."

The prisoner spoke at considerable length in his defence, giving a rambling account of his various migrations from the north to "Brummagem," from "Brummagem" to the north, &c., with some amusing particu-

Digitized by Google

lars of his marriages and courtships, whereby he wished to make it appear that all the young ladies he came near wanted to have him, and that he had been in every instance inveigled into wedlock for the sake of his possessions. His main defence was, that he was under age, and that all his marriages were illegal; and his conclusion seemed to be, that having contracted one illegal marriage, he thought himself perfectly justified in contracting a hundred.

The prisoner's mother having expressed a wish to give evidence, and the prisoner having consented, she took her place in the witness-box, and deposed that she was now the wife of Michael Rickaby. The prisoner was not born in wedlock; she had him in a love-affair. But she would not say who his father was. She had not come there for that. He was under age.

The jury found the prisoner "Guilty."

The prisoner was next indicted for having, in October 1839, married Mary Ann Wilson, daughter of George Wilson, a tobacconist, of Newcastle. The marriage to Miss Skidmore was again proved by the certificate, which bore his lordship's mark. The prisoner, it appeared, had advertised for a wife in the Newcastle papers. In that town he appears to have attached himself to the Wesleyan Methodists. By his professions of religion and his teetotal pledges, he obtained a high character for morality and sanctity. Miss Wilson said she first saw the prisoner in October at a Methodist chapel in Newcastle. On the same day she met him at a class-meeting. On the 16th of October she was introduced to him by a friend, when he promised to call upon her at three o'clock that afternoon. He did so, and as soon as he sat down, he pulled out a tin case which was marked "Robert Taylor, otherwise Lord Kenedy." He said he was entitled to 60,000*l.* a year, and other hereditaments. The following day he made her an offer of marriage, and she accepted him. He said if he could get the loan of some money, they would be married the next morning. Her father lent him 4*l.*; a licence was bought; and they were married the day but one after she had accepted him, and three days after her introduction to him. Eighteen days after this he deserted her, and she heard no more of him till he was in custody.

By the prisoner: "He spoke of putting in the bans. She did not say 'she would rather be married off-hand.'"

Prisoner: "Oh, yes, Mary, you did. I consented to take you immediately if the money was raised, and you raised it."

The jury returned a verdict of "Guilty."

The court having spent some time in deliberation,

The chairman said: "You have for some time been going about the country in a most unprincipled way, marrying weak and unsuspecting girls, and bringing misery upon them and their friends. We have seriously considered whether it is not imperative upon us to visit you with the severest penalty that the law allows. We have determined, however, to stop short of this; but you must be punished with great severity for your wicked conduct. For the first offence of which you have been convicted, you are sentenced to be imprisoned one year to hard labour; and for the second, to be imprisoned eighteen months to hard labour, making altogether two years and a half."

Prisoner: "Gentlemen, when I come out again, will any of my wives have a claim upon me?"

Digitized by Google

The court declined to answer the question, and he then requested that his "dockyments" might be restored to him.

The court thought it better to make no order; they might be placed in the hands of the governor of the jail.

The mother of the prisoner, on quitting the court, finding herself an object of some attraction, became somewhat communicative on her family history. Among other things, she stated that her son was one of General Evans's "Legion;" and that she had sent a letter into Spain, which had the effect of procuring his return to England. She had come from Workington, in Cumberland, a distance of one hundred and fifteen miles, to attend the trial; for "her son was her son," and she could not rest without coming. One thing she would not allow curiosity to penetrate—and that was, the mystery which hung over the prisoner's birth. She had "kept the secret" nineteen years, and was not going to reveal it in the twentieth. All that she would say was, that "she had him to a real gentleman."

THOMAS PATTESON.

CONVICTED OF MANSLAUGHTER.

THE trial of this person took place at Aylesbury, on Tuesday, March 10th, 1840, before Mr. Baron Parke, when the indictment charged that the prisoner had been guilty of the manslaughter of John Charles, on the 21st of October previous, at Buckland, in Buckinghamshire. The case excited a great deal of interest in the county, from the condition in life of the deceased and the prisoner, who were both respectable farmers, and from the close intimacy which had long existed between them, as well as from the mysterious manner of the death of the former. Though the coroner's jury returned a verdict of manslaughter only, the prosecutors sent up a bill of indictment for murder to the grand jury, which they ignored.

The main circumstances of the case were, that on the 20th of October 1839, the deceased John Charles went, about ten o'clock in the forenoon, to the "Boot," on Buckland Common, where he had some beer; and while there, the prisoner came in to take lunch, about twelve o'clock. They remained talking and drinking together until about five o'clock in the evening, when the landlord, John Edwards, came in, with whom they had some more drink. About half-past ten o'clock at night they rose to go away, their road being the same to pretty near their respective homes. Before they went, however, Charles said, "I think I am the best man now, let us walk the chalk;" meaning that he was the less intoxicated of the two. "Walking the chalk" is, in this part of the country, the test of drunkenness, and the experiment is performed by the attempt to walk straight upon a chalked line drawn across the floor, or by walking along the straight line between two layers of bricks where the floor is of that material. The experiment was tried in this case, and the result proved that Charles, the deceased, was the less affected by drink of the two; and he therefore undertook, as is usual between two companions on such occasions, to see the other safe home. Neither of them ever reached his home, for the deceased perished on the way, and the prisoner having been taken into custody the same night, remained in Aylesbury jail up to the day of the

Digitized by Google

trial. The first person who made known the dreadful catastrophe was the prisoner himself, who, about half-past twelve o'clock on the same night, in a very wild and still intoxicated state, went to Johnson, the policeman, in the town of Tring, about two miles from the place where the death took place, and told him "he had killed a man." At first the policeman did not believe him, thinking it the mere folly of drink; but he persisted, and said he would take him to the place where the body lay. The policeman then went with him, and in a lane leading to the homes of both parties, the body of the deceased was found lying on its back on the grass, in a place not exactly on the road, but where a gap in the field, which was the termination of a footpath running parallel with the lane inside of the hedge, led into the road. That path was one which had been made by people going through the adjoining land to avoid a bad part of the road; and having passed that portion of the road, they came into the road again. The prisoner, before the body was found, had told the policeman that he was sure the person he had killed was "Joe Kibble, the sweep of Tring, who had been sent by Humphrey Bull to kill him." Humphrey Bull was the relieving officer of the union, of which both the prisoner and the deceased were guardians, and was of different politics from the prisoner, the latter being a liberal, and Bull a conservative; but they were on good terms; and nothing could show more strongly the strange state of delusion which the effects of intemperate drinking had wrought upon the prisoner's mind on that fatal night, than that he should give as a reason for killing one of his friends, that he believed him to be an assassin sent by another friend for the purpose of murdering him! On examining the body of the deceased, it was found to bear marks of dreadful beating on the head and face, which had produced great effusion of blood. The bones of the nose were completely broken, and a surgeon deposed to a concussion of the brain, as one of the effects of the violence which caused death. In the pockets of the deceased were found a ten-pound note, a five-pound note, and some sovereigns. On the notes being taken out of the pocket, the prisoner immediately exclaimed, "These are the two bank-notes which Bull gave Joe Kibble to murder me!" At that time nobody present was aware that the body was that of farmer Charles. So far from that, the policeman actually sent a person to the house of Charles, to ask him to come to see the body. The prisoner had previously told the police that he had been going home from the Buckland Inn, with his friend Charles, but the latter parted from him somewhere on the road, he could not tell where. The probable solution of the mystery is, that the deceased, who was proved to be, when in his cups, of a jocose disposition, and rather addicted to the too-often dangerous practice of practical joking, or what is vulgarly called, "larking," had, in going home that night, resolved to frighten Patteson, who, though a man of prodigious bodily strength, was known to be rather deficient in courage, and had before expressed fears of going home by that lonely road. With this view, it is supposed that Charles, taking advantage of the very drunken state in which Patteson was, slipped away from him among some trees which stood at the entrance of the footpath which we have before described, and which ran parallel with the road along which Patteson had to proceed to his home. A high bank and hedge would screen any person going along this pathway from the view of another on the road. At the place where the pathway led again into the road, at

Digitized by Google

the gap, there was a mound of earth with an open space between that and the hedge, so that a person coming from the gap might, by going partly behind that mound, be concealed until he came suddenly in view, and this is probably what the deceased did in order to frighten his companion; and the position of the body near the gap when found seemed to strengthen that supposition. Whether the deceased laid hold of the prisoner before the latter saw him or not must remain for ever involved in obscurity, as the panic-terror into which Patteson was suddenly thrown, operating upon the drunkenness, caused him to destroy the unfortunate man immediately; and it is probable that from his strength, his first blow knocked him senseless. The prisoner said, that, while he was beating the supposed murderer on the ground, he asked him "who sent him to kill him," and that he pronounced the name of "Bull" three times. This of course was the mere hallucination of the temporary frenzy produced by drunkenness and terror. When the prisoner and deceased left the inn together, the latter had a knobbed walking-stick in his hand, the other had none. The stick was found under the body of the deceased, but not marked with blood, or presenting any appearance that could show that it had been used in inflicting the wounds by the prisoner. Those wounds the surgeon was of opinion were inflicted by the fist only. The prisoner was in an agony of grief as soon as he was made aware that it was his friend and companion Charles that he had so unwittingly slain, and continued in a state of deep affliction, even up to the time of his trial.

On behalf of the accused, evidence was adduced which showed that he was a most amiable and respectable man.

Mr. Baron Parke, in summing up the evidence, told the jury that if they were of opinion that the delusion which operated on the mind of the prisoner, and led to the perpetration of the fatal act, was caused by such an alarm of personal danger as would not have produced a similar effect upon the reasonable mind of a sober man, they must find him guilty of manslaughter, otherwise the act would be excusable homicide.

The jury returned a verdict of "Guilty of manslaughter," accompanied by a recommendation to mercy.

Mr. Baron Parke, in pronouncing judgment, observed, that from the time he had read the depositions he believed the fatal act of the prisoner to have been the result of a delusion produced upon a mind which intoxication had deprived of the control of reason; that the prisoner never had the slightest intention of killing his friend, with whom it was proved he never had any quarrel, was clear beyond all doubt. It was not right that he should, however, go altogether unpunished, but in consideration of his having already suffered five months' imprisonment, he should sentence him to be imprisoned for two months only, hoping that this case would be a warning to all who heard it of the danger of indulging in intemperate habits.

Digitized by Google

JOHN TURNER FLYNN.

CONVICTED OF FORGERY.

THIS person was convicted of an offence of a most mischievous description.

He was indicted at the Old Bailey sessions, on Saturday the 11th of April, 1840, for feloniously uttering and putting off a forged order for the payment of money, and a forged certificate, knowing the same to be forged, with intent to defraud the Commissioners of Chelsea Hospital.

The evidence which was adduced in the progress of the case, showed that the prisoner was a person of extremely respectable connexions, and was at the time of his trial in the fiftieth year of his age. At an early period of his life he entered the navy, and in the course of a long service was present at many actions, in which he is reported to have behaved with much gallantry. Having obtained the rank of lieutenant, he was engaged by her late majesty, Queen Caroline, the unfortunate consort of George the Fourth, as commander of a yacht, in which her majesty took frequent excursions, during her residence on the Continent. In this capacity he gained the confidence of his royal mistress, and she was known to place much reliance on his ability and zeal in her service. On her majesty's return to England, Lieutenant Flynn accompanied her, and he was subsequently examined as a witness before the House of Lords, in the course of the inquiry, which took place into the conduct of her majesty. Subsequently to this period, Lieutenant Flynn was supposed by many of his friends to have had the honour of knighthood conferred upon for his exertions in favour of the government, and he was generally known as Sir John Flynn. He was shortly afterwards married to a person of respectable connexions, by whom he had several children. In the year 1831, Lieutenant Flynn, with a view to increasing the means which he possessed of supporting his family, at that time resident at St. Malo, procured for himself a licence to act as a prize agent, an occupation frequently followed by persons in his situation, and considered by them as in no degree derogatory to their rank. In the course of his professional engagements he was compelled to make frequent trips from France to England, and he became acquainted with Mr. Beresford Ayton, a Navy-agent, who proposed to put him in the way of increasing his business. With this view he introduced him to Mr. Holgate, a clerk in the Prize Office at Chelsea Hospital, and an agreement was entered into, that the latter should furnish the names of soldiers who were entitled to prize money, together with the amount standing opposite to their names, and the transactions in which they had been engaged, and by which their claims were authorised, (although such a course was opposed to the duties of his office,) while Lieutenant Flynn should allow him two and a half per cent. upon all sums recovered from the prize commissioners, by reason of such information,—the presumed object being, that Flynn should find out the soldiers, and by informing them of the fact of their being entitled to put forward their claims, procure them to make application for such sums as properly fell to their share.

Digitized by Google

Flynn, however, determined to apply this information to a purpose the same in effect as that which Holgate supposed him to possess, although his object was to apply to his own use all the money which he obtained. With this view he applied, in 1835, to Mr. E. A. Théleur, a friend, residing in Great Marlborough-street, to receive any letters which might arrive at his house, addressed for him, and to receive such moneys as should become payable to him, and retain them for his use. Mr. Théleur at once consented to this course, and on the 20th of August (in that year) he received a letter from Nantes.

Among the names handed to Flynn by Holgate, was that of George Langley; who had been a serjeant of the St. Helena regiment of artillery at the time of the capture of Buenos Ayres, in 1806, and who was entitled to a sum of 177*l.* for prize money. In the course of 1835 an application was received at the Prize Money Office, at Chelsea Hospital, purporting to be that of Langley, and dated from Nantes, in which the applicant requested that an order might be sent to him, for the amount standing against his name. An answer was returned, acquainting Langley, that by lapse of time his claim had fallen to the ground, for that no such applications were listened to, if not made within six years of the time of the money becoming due, but informing him that if he gave a satisfactory excuse for his neglect, the prize-money commissioners might grant the prayer of his petition. In reply to this communication, another letter from Langley was received, and upon the statement contained in it, an order was transmitted to him, with directions that it should be filled up in a certain manner, and that a certificate, signed by certain persons as to his identity, should be sent back, upon the return of which the money would be paid.

The order and certificate required were received by Mr. Théleur, in the letter which reached him, which purported to be signed by George Langley, and which, besides, requested that he would procure money for the order enclosed. While Mr. Théleur was reading the letter Lieutenant Flynn called upon him, and when the letter and its contents were shown to him, he declared that it was quite correct, and expressed a wish that that gentleman would procure payment to be made to him, as the order was drawn up in his name. Mr. Théleur, in consequence, proceeded to Chelsea Hospital, and on the 24th of the same month, a check for the amount was handed to him, for which he gave a receipt. On the following day he obtained cash for the check, in obedience to the expressed wish of Flynn, and he then paid over the amount to him, on his giving him an acknowledgment for it.

Subsequently some suspicion arose, and Holgate being questioned, he disclosed what he had done to Mr. Bicknell, the solicitor to the commissioners of Chelsea Hospital. Inquiries were in consequence instituted, and it eventually proved that Serjeant Langley had died within six months of the taking of Buenos Ayres, on board the Woolwich man-of-war, on his way back to St. Helena; and that, therefore, the application made in his name must have been fictitious, and that the certificate as to his identity, which purported to be signed by certain individuals resident at Nantes, was false, inasmuch as that no such persons were in existence.

Mr. Théleur, who had now removed to St. Germain, in France, was in consequence written to, and the explanation which he gave of his participation in the affair at once cast suspicion on Flynn, who was eventually

Digitized by Google

apprehended and brought to trial. On the night before the investigation, which took place before the jury at the Old Bailey, it was ascertained that the order and certificate, as well as the letters of application to the prize-money commissioners, were written by a young woman who had been a member of Flynn's family, but who had been since married; but in consequence of her absence from London, it was impossible to obtain her testimony to account for the circumstances under which she had been induced to draw out those documents.

These circumstances constituted the evidence laid before the jury upon the indictment preferred against the prisoner. For the defence, it was suggested, that some person more designing than the prisoner had imposed upon him; but the jury returned a verdict of Guilty, accompanied by a recommendation to mercy.

It was stated, that there were other prosecutions against the prisoner of a similar character, and that frauds to a very great extent had been committed upon Chelsea Hospital.

Mr. Baron Alderson in passing sentence upon the prisoner declared, that he felt the deepest regret at finding a person of his rank in life placed in such a situation. He had hitherto borne a good reputation, but the crime of which he had been found guilty was of a most aggravated character:—it was one which might have robbed the soldier of the hard-earned fruits of his valour, of his meritorious sacrifices for the safety and honour of his country. A short time before, for such an offence he would undoubtedly have been consigned to an ignominious death, and he feared that the laxity with which the existing law was carried out, would compel the legislature to re-enact that dreadful punishment for such crimes as his. He would take care that the blood of no man should rest upon his head; and although it was his intention, as it was his duty, to present the recommendation of the jury in the proper quarter, and he should not stand in the way of the mercy of the Crown, he considered it to be his imperative duty to pass a sentence of transportation for life.

ALEXANDER M'LAGHLIN SMITH.

TRIED FOR MURDER.

THE brutal and sanguinary murder for which this unhappy man was tried, was that of Mr. William Duke, the chief police-officer of Huddersfield, in Yorkshire. Surrounded as it is by circumstances of the very greatest barbarity and atrocity, it is no small relief to find that the person by whom the dreadful deed was committed was insane, and therefore legally irresponsible for his acts.

The scene of this dreadful transaction was thus described by an eye-witness. He says, "On Tuesday the 28th of April, after tea, I paid one of my usual visits to our beautiful public exhibition, and while in conversation with a friend, I heard the cry of 'murder,' and rushed out of the back door, close to which stands our prison and the prison-house. The crowd around soon told me in what course to direct my steps, and I immediately entered the prison-house. The first object that struck my attention was Dawson, one of our police-officers, seated in a chair, literally stifled

Digitized by Google

with the blood which he was stroking from his head and neck, and which was streaming from other parts of his body. All was consternation and horror. The cries of Mrs. Duke, and other females, that her husband was murdered, induced me to hasten to the prison-yard, there to witness a scene that beggars description. Blood was so largely scattered in every direction that the place resembled a slaughter-house. There I found Duke, our head police-officer, weltering in his blood, pale with exhaustion, and Mr. Wrigley, surgeon, on his knees, vainly attempting to stop the bleeding. I rushed back to the front door—sent for all the surgical assistance to be found, and then returned to the scene of horror to hear the piteous request of the dying officer, "Don't remove me, doctor, don't be so cruel—let me die here!"—nearly his last words.

"On my first entrance into the prison-yard the door of one of the cells had just been locked, and the horrid imprecations of a wretch were heard amidst a scene that was calculated to appal the stoutest heart. I soon learnt the melancholy tale, that this cell contained the author of deeds that will long live in the memory of the inhabitants of Huddersfield, and for which there is no parallel in this town since the murder of Mr. Horsfall, in the days of Luddism, that very day twenty-eight years ago, and about the same hour, and in a similar beautiful season. I shall briefly state what I learnt, and which was corroborated at the coroner's inquest. A Scotch gardener named Alexander MacLaughlin Smith, who for the last twelve months has been located about Elland and Halifax, where he is well known, and has been an object of dread from his violence, was in the act of bargaining for a plant, and wishing to take advantage, he was given in charge to Dawson, a police-officer, about four o'clock in the afternoon. Being slightly affected with liquor he resisted, and became very rough, especially when taken into the prison yard, where he made an attempt to injure Duke with a pruning-knife. This, however, was taken from him, and a leg and a wrist chain were put on him, and he was locked up. He then became outrageous, and continued so until about six o'clock, when Duke, Dawson, and Dalton, the three police-officers, agreed to meet and secure him more closely. Duke opened the door of his cell, and asked what he meant by his conduct; when the prisoner (who, although chained, was not fastened to the wall) answered that he would let him know, and with an open pruning-knife in his hand, rushed out and instantly stabbed Duke, who ran, followed by the prisoner and Dawson. Dalton ran in a contrary direction, and met the three half-way round the prison. Duke was laid prostrate, and Dawson in close contact with the prisoner, bleeding, when Dalton, fortunately having a staff, knocked the knife out of the hand of the prisoner, and with assistance secured him.

"It was in this position that I found the parties, and shortly after poor Duke was removed into his house, his wounds washed, and all medical aid afforded, but he breathed his last about ten minutes after he was removed, and in about twenty minutes after his deadly encounter. Dawson was removed to the infirmary, where he now lies with hopes of recovery, notwithstanding he has received ten or twelve wounds, some very severe, one of which is nine inches long and deep to the bone. Duke's wounds are horrid to describe, some six inches long by two and a half deep; but the one that was the immediate cause of death, was in the inner-side of the

Digitized by Google

thigh, four inches long and two and a half deep, which cut through two-thirds of the femoral artery.

"The dreadful news of the murder spread rapidly, and crowds assembled around the prison. The wretched prisoner in his frenzy rejoiced in his success, and regretted he had not killed more. I remonstrated with him, but was only threatened with the same fate, could he reach me. The wretch was shortly after doubly pinioned, and left for the night. The morning came; I was kindly permitted to see the prisoner, whose mind still remained callous, without a symptom of remorse, or the slightest regret, save that he had hurt his own fingers!

"To-day (Wednesday) an inquest was held at the George Inn, before Thomas Dyson, Esq., and a highly respectable jury. The whole town was in a ferment, and when the prisoner was brought in an open carriage, in his blood-stained clothes, and with his unwashed hands, with an air of savage indifference, nay even a smile on his countenance, the expression of indignation was fearful! Before the jury gave their verdict, the coroner asked the prisoner if he had any questions to ask, when, with fiendish look and sarcastic sneer, he replied, 'Me ask any question? Are you satisfied with what you have got? Then be doing!' The jury then, without removing from their seats, unanimously agreed to a verdict of 'Wilful Murder.' Shortly after the prisoner was committed and driven off to York Castle, to take his trial at the next summer assizes, amidst a dense crowd, whose suppressed indignation under the horrid exciting circumstances of this tragic scene does them great credit.

"The prisoner is about thirty-four or thirty-five years of age, with sandy hair: he stands about five feet seven inches high, is strongly built, and very broad in the chest: he has a peculiarly savage aspect. He is a native of Scotland, and has a wife and two children at Stirling, in indifferent circumstances, from whom he has long been absent. During the whole of this tragic exhibition he manifested the utmost callousness and indifference, even approaching to scorn. Not even the bloody knife or the bloody soaked clothes, when produced in court, had any apparent effect on him; and to all appearance the probability of a violent death has no terrors to him. From first to last he remained unmoved! On his road to York he was the same, and unreservedly stated, that he thought no more of killing men that acted to him as the police had done than of killing bullocks."

The wretched man during his confinement in York Castle exhibited such symptoms as could leave no doubt of his insanity, and the necessary precautions against his doing any further mischief were taken.

Dawson, the second object of his attack, after remaining in the police infirmary during upwards of a month, was sufficiently recovered to resume his duty, but he was still in a state of considerable weakness, from the great loss of blood which he had experienced.

The trial of the prisoner took place at York on the 21st of July 1840, before Mr. Baron Rolfe, when the facts which have been already detailed having been proved by various witnesses, evidence of the insanity of the prisoner was given.

The jury, in consequence, acquitted the prisoner, and he was ordered to be detained during Her Majesty's pleasure.

Digitized by Google

THE EARL OF CARDIGAN

TRIED AT THE BAR OF THE HOUSE OF LORDS, FOR AN ASSAULT WITH INTENT TO MURDER.

On Tuesday, February the 16th, 1841, the Right Hon. the Earl of Cardigan was tried by his Peers at the bar of the House of Lords, for an assault with intent to murder, alleged to have been committed by him in fighting a duel with Mr. Harvey Garnett Phipps Tuckett.

In introducing this case to our readers we do not deem it to be necessary to enter into any minute or extended discussion in reference to the circumstances which preceded this trial, but it will be sufficient to point out the general facts by which the duel which was the subject-matter of the investigation was brought about.

The Earl of Cardigan in the year 1840 held the rank of Lieutenant-Colonel of the 11th Regiment of Hussars, of which His Royal Highness, Prince Albert had recently received a commission as Colonel. It appears to have been the object of the Earl of Cardigan to advance the discipline and general conduct of his regiment to such a state as to entitle it to be esteemed in the light in which it was held,—that of a favourite regiment. The earl had been appointed to the regiment in the year 1838, while it was serving in India, but in the spring of the ensuing year, the usual period of service abroad having expired, the 11th Hussars were ordered home, and soon after received the title of "Prince Albert's Own." While stationed at Brighton, in the course of the year 1840, some differences arose between the noble earl and the officers under his command, which, whether justly or unjustly it is not for us to determine, procured for the former a considerable degree of notoriety, which placed his character as the commander of a regiment in an unenviable position. Complaints to the War Office were the result of these misunderstandings, and the subject became matter of discussion in the various newspapers of the day. Amongst those journals which took a prominent part in these debates was the Morning Chronicle, and in the columns of that paper a series of letters appeared under the signature of "An Old Soldier," which eventually proved to be the contributions of Mr. Tuckett, formerly a captain under the command of the Earl of Cardigan. Many of these letters undoubtedly contained matter highly offensive personally to the Earl of Cardigan, and the noble earl having discovered their author, called upon him to afford him that satisfaction usually deemed to be due from one gentleman to another under circumstances of insult or any other provocation. A meeting took place at Wimbledon Common, on the 12th of September 1840, the respective combatants being attended by seconds, the result of which was that, at the second shot Captain Tuckett was wounded. The whole affair was witnessed by some persons resident in the neighbourhood, and the parties were all taken into custody, and eventually bound over to appear to answer any charge which might be preferred against them at the ensuing sessions at the Central Criminal Court.

A police constable was directed to institute a prosecution, and bills of indictment were laid before the grand jury against Captain Tuckett, and

Digitized by Google

Captain Wainewright, his second; and also against the Earl of Cardigan, and Captain Douglas, who had attended him in the capacity of his friend. In the cases of the two first-named individuals the bill was ignored, but a true bill was returned against the Earl of Cardigan and Captain Douglas.

The extent of jurisdiction of the judges at the Old Bailey prevented them from trying the Earl of Cardigan, whose alleged offence the noble earl was entitled to have inquired of by his peers, and the investigation of the case against the parties indicted was therefore postponed from session to session until the sitting of Parliament, the court declining to enter upon the case of Captain Douglas until that of the principal to the offence alleged against him had first been disposed of. Parliament assembled on the 16th of January 1841, and then, so soon as the forms of the House of Lords would admit, the bill of indictment was removed by *certiorari*, in order to be disposed of by their lordships. The customary preliminary forms having been complied with on the day above named, namely, Tuesday the 16th of February, the trial took place.

The public had been made acquainted with the fact that the trial would not take place in Westminster-hall, and that the Painted Chamber, in which the peers had met for parliamentary business since the destruction of the old house by fire, was under preparation for this solemn and imposing scene. The smallness of the apartment, and the general desire amongst the peeresses and the various members of the nobility and rank of the land to be present upon so important and interesting an occasion, rendered it necessary that very extensive alterations should be made to secure sufficient accommodation, and considerable ingenuity had been exercised in order to accomplish that object, every corner and nook from which a glimpse of the court can be snatched being provided with sittings. But the capacity of the building prevented the architect, with all his skill, from making the supply equal to the demand. The benches, galleries, and floor, were covered with crimson cloth, and the walls themselves with paper, in which that colour was predominant, and the effect was to make the gorgeous robes of the peers and the splendid dresses of the peeresses stand out in dazzling relief. When the court had opened, and the chamber was filled, the *tout ensemble* was magnificent.

At a quarter before eleven o'clock the lords' speaker (Lord Denman), having robed in his private room, entered the house. A procession was formed in the usual manner, his lordship being preceded by the purse-bearer with the purse, the sergeant with the mace, the black rod carrying the lord high steward's staff, and garter carrying his sceptre.

Garter and black rod having taken their places at the bar, the lord speaker proceeded to the woolsack, where, being seated, prayers were read by the Bishop of Lichfield.

The clerk-assistant of Parliament then proceeded to call over the peers, beginning with the junior baron.

This necessary ceremony being completed, the clerks of the crown in Chancery and in the Queen's Bench jointly made three reverences, and the clerk of the crown in Chancery, on his knee, delivered the commission to the lord speaker, who gave it to the clerk of the crown in the Queen's Bench to read; and both clerks retired with like reverences to the table.

Digitized by Google

The sergeant-at-arms then made proclamation, and the lord speaker informed the peers that her majesty's commission was about to be read, and directed that all persons should rise and be uncovered while the commission was reading.

The commission appointing Lord Denman as lord high steward was then read, and garter and black rod having made their reverences, proceeded to the woolsack and took their places on the right of the lord high steward, and both holding the staff, presented it on their knees to his grace.

His grace rose, and having made reverence to the throne, took his seat in the chair of state provided for him on the uppermost step but one of the throne. Proclamation was then made for silence; when the queen's writ of *certiorari* to remove the indictment, with the return thereof, and the record of the indictment, were read by the clerk of the crown in the Queen's Bench. The lord high steward then directed the sergeant-at-arms to make proclamation for the yeoman usher to bring the prisoner to the bar.

The Earl of Cardigan immediately entered the house, and advanced to the bar, accompanied by the yeoman usher. He made three reverences, one to his grace the lord high steward, and one to the peers on either side, who returned the salute. The ceremony of kneeling was dispensed with. The noble earl, who was dressed in plain clothes, was then conducted within the bar, where he remained standing while the lord high steward acquainted him with the nature of the charge against him.

The prisoner was arraigned in the usual form, for firing at Harvey Garnet Phipps Tuckett, on the 12th of September, with intent to kill and murder him. The second count charged him with firing at the said Harvey Garnet Phipps Tuckett with intent to maim and disable him; and the third count varied the charge—with intent to do him some grievous bodily harm.

The clerk then asked, "How say you, James Thomas Earl of Cardigan, are you guilty or not?"

The Earl of Cardigan, in a firm voice, replied, "Not guilty, my lords."

The clerk—"How will you be tried, my lord?"

The Earl of Cardigan—"By my peers."

The noble prisoner then took his seat on a stool within the bar, and his grace the lord high steward removed to the table, preceded by garter, black rod, and the purse-bearer, as before, and his grace being seated, black rod took his seat on a stool at a corner of the table, on his grace's right hand, holding the staff, garter on a stool on black rod's right, and the sergeant at the lower end of the table on the same side.

Mr. Waddington opened the pleadings, stating the nature of the offence as set out in the indictment, and added that the noble prisoner had, for his trial, put himself upon their lordships, his peers.

The attorney-general addressed their lordships as follows:—"I have the honour to attend your lordships on this occasion as attorney-general for her majesty, to lay before you the circumstances of the case upon which you will be called to pronounce judgment, without any object or wish on my part, except that I may humbly assist your lordships in coming to a right conclusion upon it, according to its merits. An indictment has

Digitized by Google

been found against a peer of the realm by a grand jury of his country, charging him with a felony, the punishment of which is transportation or imprisonment. That indictment has been removed before your lordships at the request of the noble prisoner, and, I must say, most properly removed, for an inferior court had no jurisdiction to try him. The charge is, upon the face of it, of a most serious character, and it would not have been satisfactory if it had gone off without any inquiry. The policeman, however, who was bound over to prosecute, fulfilled his recognizances by appearing at the Central Criminal Court, and preferring the indictment. It is possible that in the course of this trial, questions of great magnitude on the construction of acts of Parliament or respecting the privileges of the peerage may arise, which it is of great importance to this house, to the crown, and to the community, should be deliberately discussed. According to all the precedents that can be found, whenever a peer has been tried in Parliament, the prosecution has been conducted by the law-officers of the crown. Fortunately, we have no living memory on this subject. It is now sixty-four years since any proceeding of this sort has taken place, and I am rejoiced to think that on the present occasion the charge against the noble prisoner at the bar does not imply any degree of moral turpitude, and that, if he should be found guilty, his conviction will reflect no discredit on the illustrious order to which he belongs. At the same time, it clearly appears to me that the noble lord at the bar has been guilty of infringing the statute law of the realm, which this and all other courts of justice are bound to respect and enforce. Your lordships are not sitting as a court of honour, or as a branch of the legislature; your lordships are sitting here as a court bound by the rules of law, and under a sanction as sacred as that of an oath. The indictment against the Earl of Cardigan is framed upon an act of Parliament which passed in the first year of the reign of her present majesty. It charges the noble defendant with having shot at Captain Harvey Tuckett, with the several intents set forth in the indictment. I think I shall best discharge my duty to your lordships by presenting to you a brief history of the law on this subject. By the common law of England, personal violence, when death did not ensue from it, amounted to a mere misdemeanour, and if the wounded party did not die within a year and a day, no felony was committed. The first act which created a felony where death did not ensue was the 5th of Henry IV. By that act certain personal injuries, without death, were made felonies without benefit of clergy. Then came the Coventry Act, the 22nd and 23rd of Charles II., whereby any person lying in wait for and wounding another with intent to maim or disfigure, was guilty of felony, without benefit of clergy. Under both these acts no offence was committed unless a wound was inflicted, and it was not until the 9th George I., commonly called the Black Act, that an attempt, where no wound was given, was made a felony. By that act it was enacted, that if any person should wilfully and maliciously shoot at any person in any dwelling-house or other place, he should be guilty of felony without benefit of clergy, although no wound were inflicted: but it was determined upon that statute—and in fairness to the noble prisoner it is my duty to remind your lordships of it—that unless the case was one in which, if death had ensued, it would have amounted to murder, no offence was committed under the statute. That was determined in the case of the King and Gastineaux, which is reported

Digitized by Google

in the first volume of Leach's 'Crown Cases,' page 417. In that case the law was thus laid down:—'The offence charged in this indictment is described by the statute, in which it is framed, in very few and very clear words, which are—'That if any person or persons shall wilfully and maliciously shoot at any person in any dwelling-house or other place, he shall be adjudged guilty of felony, without benefit of clergy.' The word maliciously is made to constitute the very essence of this crime; no act of shooting, therefore, will amount, under this statute, to a capital offence, unless it be accompanied with such circumstances as, in construction of law, would have amounted to the crime of murder if death had ensued from such act. This proposition most clearly and unavoidably results from the legal interpretation of the word maliciously, as applied to this subject; for there is no species of homicide in which malice forms any ingredient but that of murder; and it follows, that neither an accidental shooting, nor a shooting in the transport of passion, excited by such a degree of provocation as will reduce homicide to the offence of manslaughter, is within the meaning of the statute; for from both of these cases the law excludes every idea of malice.' The law continued on this footing until an act was passed in the 43rd of George III., which is commonly called Lord Ellenborough's Act. This act did not repeal the Black Act, but greatly extended its operation, and, among other enactments, contains this:—'That if any person or persons shall wilfully, maliciously, and unlawfully shoot at any of his majesty's subjects, or shall wilfully, maliciously, and unlawfully present, point, or level any kind of loaded fire-arms at any of his majesty's subjects, and attempt, by drawing a trigger, or in any other manner, to discharge the same at or against his or their person or persons, or shall wilfully, maliciously, or unlawfully stab or cut any of his majesty's subjects, with intent in so doing, or by means thereof, to murder, or rob, or to maim, disfigure, or disable such his majesty's subject or subjects, or with intent to do some other grievous bodily harm to such his majesty's subject or subjects, he shall be guilty of felony, without benefit of clergy.' This act, however, has the following express proviso:—'Provided always, that in case it shall appear on the trial of any person or persons indicted for the wilfully, maliciously, and unlawfully shooting at any of his majesty's subjects, or for wilfully, maliciously, and unlawfully presenting, pointing, or levelling any kind of loaded fire-arms at any of his majesty's subjects, and attempting, by drawing a trigger, or in any other manner, to discharge the same at or against his or their person or persons, or for the wilfully, maliciously, and unlawfully stabbing or cutting any of his majesty's subjects, with such intent as aforesaid, that such acts of stabbing or cutting were committed under such circumstances as that it death had ensued therefrom the same would not in law have amounted to the crime of murder; then and in every such case the person or persons so indicted shall be deemed and taken to be not guilty of the felonies whereof they shall be so indicted, but be thereof acquitted.' Your lordships will observe that, by this act, it is made a capital offence to shoot at with intent to murder, or maim, or disfigure, or do grievous bodily harm, but the offence came within the statute only when, if death would have ensued, it would, under the circumstances, have amounted to the crime of murder. Next came the statute of the 9th of George IV. cap. 31, which, I believe, is generally called Lord Lansdowne's Act, that noble

Digitized by Google

lord having introduced it into Parliament when he was Secretary for the Home Department. This is an act for consolidating and amending the statutes relating to offences against the person. It repeals the Black Act, and Lord Ellenborough's Act; but it contains provisions similar to those of the latter. The 11th section enacts:—"That if any person unlawfully and maliciously shall administer or attempt to administer to any person, or shall cause to be taken by any person, any poison or other destructive thing, or shall unlawfully and maliciously attempt to drown, suffocate, or strangle any person, or shall unlawfully and maliciously shoot at any person, or shall, by drawing a trigger, or in any other manner attempt to discharge any kind of loaded arms at any person, or shall unlawfully and maliciously stab, cut, or wound any person, with intent, in any of the cases aforesaid, to murder such person, every such offender, and every person counselling, aiding, or abetting such offender, shall be guilty of felony, and, being convicted thereof, shall suffer death as a felon." By the 12th section it is enacted:—"That if any person unlawfully and maliciously shall shoot at any person, or shall, by drawing a trigger, or in any other manner, attempt to discharge any kind of loaded arms at any person, or shall unlawfully and maliciously stab, cut, or wound any person, with intent, in any of the cases aforesaid, to maim, disfigure, or disable such person, or do some other grievous bodily harm to such person, or with intent to resist or prevent the lawful apprehension or detainer of the party so offending, or of any of his accomplices, for any offence for which he or they may respectively be liable by law to be apprehended or detained, every such offender, and every person counselling, aiding, or abetting such offender, shall be guilty of felony, and being convicted thereof, shall suffer death as a felon." This act contains the same proviso as was inserted in Lord Ellenborough's; but still it remained a capital offence to shoot at, with intent to murder, or maim, or disfigure, or do bodily harm, although no wound was inflicted. Things remained on this footing till the act was passed on which the present indictment is framed. That act, which received the royal assent on the 17th of July 1837, is the 1st of Victoria, cap. 85, and is entitled "An Act to amend the laws relating to offences against the Person." The preamble recites that it is expedient to repeal so much of the act of the 9th George IV., and of the 10th of the same reign, as relates to any person who shall unlawfully and maliciously shoot at any person, or who shall, by drawing a trigger, or in any other manner attempt to discharge any kind of loaded arms at any person, or who shall unlawfully and maliciously stab, cut, or wound any person, &c. And by the second and third sections it is enacted:—"That whosoever shall administer to or cause to be taken by any person any poison or other destructive thing, or shall stab, cut, or wound any person, or shall by any means whatsoever cause to any person any bodily injury dangerous to life, with intent in any of the cases aforesaid to commit murder, shall be guilty of felony, and being convicted thereof, shall suffer death. And be it enacted, that whosoever shall attempt to administer to any person any poison or other destructive thing, or shall shoot at any person, or shall, by drawing a trigger, or in any other manner, attempt to discharge any kind of loaded arms at any person, or shall attempt to drown, suffocate, or strangle any person, with intent in any of the cases aforesaid to commit the crime of murder, shall, although no bodily injury shall be effected, be guilty of felony, and being

Digitized by Google

convicted thereof shall be liable, at the discretion of the court, to be transported beyond the seas for the term of his or her natural life, or for any term not less than fifteen years, or to be imprisoned for any term not exceeding three years." Therefore, to shoot at a person and inflict a wound dangerous to life, remains by this act a capital offence; but the act of shooting, when no wound is inflicted, is no longer a capital offence, and remains a felony punishable only with transportation or imprisonment. The fourth section enacts:—"That whosoever unlawfully and maliciously shall shoot at any person, or shall, by drawing a trigger or in any other manner, attempt to discharge any kind of loaded arms at any person, or shall stab, cut, or wound any person, with intent in any of the cases aforesaid to maim, disfigure, or disable such person, or to do some other grievous bodily harm to such person, or with intent to resist or prevent the lawful apprehension or detainer of any person, shall be guilty of felony, and being convicted thereof shall be liable, at the discretion of the court, to be transported beyond the seas for the term of his or her natural life, or for any term not less than fifteen years, or to be imprisoned for any term not exceeding three years." This act contains no such proviso as is found in Lord Ellenborough's Act, and that of the 9th of George IV., a circumstance which it is material your lordship should bear in mind when you come to deliberate on your judgment with respect to the second and third counts of the indictment. I am happy to say that the indictment contains no count on the capital charge. A wound was inflicted; but the prosecutor has very properly restricted the charge to firing at with intent, without alleging that any wound dangerous to life was inflicted. The first count charges, that the Earl of Cardigan shot at Captain Tuckett with intent, in the language of the law, to commit the crime of murder. The second count charges his lordship with the same act with intent to maim, disfigure, or disable Captain Tuckett, and the third count charges him with the same act with intent to do Captain Tuckett some grievous bodily harm. It will be for your lordships to say whether, upon the facts which I shall lay before you, and which I am instructed to say can be clearly made out in evidence, each and every one of the counts must not be considered as fully established. The substance of the evidence in this case is, that on the 12th of September last the Earl of Cardigan fought a duel with pistols on Wimbledon Common with Captain Tuckett, and wounded him at the second exchange of shots. It will appear that about five o'clock on the afternoon of that day, two carriages, coming in opposite directions, were seen to arrive on Wimbledon Common, and a party of gentlemen alighted from each. It was evident to those who observed what was going on, that a duel was in contemplation. The parties went to a part of Wimbledon Common between the road that leads to Lord Spencer's park and a windmill. The seconds made the usual preparations; the principals, the Earl of Cardigan and Captain Tuckett, were placed at a distance of about twelve yards; they exchanged shots without effect; they received from their seconds each another pistol; they again fired, and Captain Tuckett was wounded by the Earl of Cardigan. Mr. Dann, who occupied the mill, and his son, and Sir James Anderson, a surgeon, who was standing close by, went up immediately. The wound was examined: it bled freely but most fortunately—and I am sure that no one rejoices at the circumstance more than the noble prisoner at the bar—it proved to be not of a dangerous nature.

Digitized by Google

Mr. Dann, the miller, who was a constable, took the whole party into custody. The wound was again formally examined, and Sir J. Anderson pressed that he might be set at liberty and allowed to take Captain Tuckett to his house in London, which was immediately acceded to upon Captain Tuckett promising to appear before the magistrates when he was recovered. The miller retained the Earl of Cardigan, and his second, Captain Douglas, as well as Captain Wainwright, the second of Captain Tuckett. The Earl of Cardigan had still a pistol in his hand when the miller approached him; and two cases of pistols were still on the ground, one of which bore the crest of the noble earl, and was claimed by him as his property. The parties in custody were conducted before the magistrates at Wandsworth, when the Earl of Cardigan made use of these words:—'I have fought a duel; I have hit my man I believe, but not seriously.' Then pointing to Captain Douglas, he said, 'This gentleman is also a prisoner and my second.' He was asked whether the person he had hit was Captain Reynolds, upon which he replied, 'Do you think I would condescend to fight with one of my own officers?' His lordship was compelled by the magistrates to enter into recognizances to appear when called upon, which he did from time to time, till at last the matter was carried to the Central Criminal Court. The witnesses I shall call before your lordships are, the miller, his wife, and son, and the policeman named Busaine, who was at the station-house, and will speak to the declarations made by the Earl of Cardigan. I can offer no evidence respecting the origin of the quarrel. Captain Douglas is to take his trial for his share in the transaction; he, as your lordships will observe, is jointly indicted with the Earl of Cardigan. A bill was also preferred against Captains Tuckett and Wainwright, but the grand jury have thrown it out. Those gentlemen, however, are still liable to be tried, and it would not be decorous to summon them before your lordships to give evidence which might afterwards be turned against themselves, probably, when they would be on trial for their lives. I shall call Sir J. Anderson, who has hitherto spoken fairly on the subject, and, I suppose, will now make no objection to state all that fell within his observation. Upon these facts it will be for your lordships to say whether all the counts of the indictment are not fully proved and supported. With respect to the first count, it is painful to use the language which it necessarily recites; but it will be for your lordships to say whether, in point of law, the noble prisoner at the bar did not shoot at Captain Tuckett with intent to commit the crime therein mentioned. I at once acquit the Earl of Cardigan of anything unfair in the conduct of this duel. Something has been said respecting the noble earl's pistols having rifle barrels, whilst those of Captain Tuckett had not such barrels. However that may have been, I have the most perfect conviction that nothing but what was fair and honourable was intended, and that the Earl of Cardigan most probably imagined, when he carried his pistols to the field with him, that one of them would be directed against his own person. Nor do I suppose that there was any grudge—any personal animosity—any rancour or malignity on the part of the noble earl towards his antagonist. Whether the noble earl gave or received the invitation to go out, I believe his only object was to preserve his reputation, and maintain his station in society as an officer and a gentleman. His lordship is in the army—he is Lieutenant-Colonel of the 11th Hussars, and no doubt he on this occasion only complied with

Digitized by Google

what he considered to be necessary to be done according to the usages of society. But if death had ensued under these circumstances it would have been a great calamity; and although moralists of high name have excused and even defended the practice of duelling, your lordships must consider what, in this respect, is the law of England. There can be no doubt that by the law of England parties who go out deliberately to fight a duel, if death ensues, are guilty of murder. It will be my duty to state to your lordships a few of the leading authorities on this point. I will mention the highest authorities known to the law of England—Hale, Hawkins, Foster, and Blackstone. Hale, in his 'Pleas of the Crown,' says, 'If A and B suddenly fall out, and they presently agree to fight in a field, and run and fetch their weapons and go to the field and fight, and A kills B, this is not murder, but homicide, for it is but a continuance of the sudden falling out, and the blood was never cooled; but if there were deliberation, as that they went on the next day—nay, though it was the same day, if there was such a competent distance of time that in common presumption they had time of deliberation—then it is murder.' In the 1st vol. of 'Hawkins' Pleas of the Crown,' cap. 13, sec. 21, p. 96, the law on this subject is thus laid down:—'It seems agreed, that whenever two persons in cold blood meet and fight on a precedent quarrel, and one of them is killed, the other is guilty of murder, and cannot help himself by alleging that he was struck first by the deceased, or that he had often declined to meet him, and was prevailed upon to do it by his importunity, or that it was his intent only to vindicate his reputation—or that he meant not to kill, but to disarm his adversary—for since he deliberately engaged in an act highly unlawful, in defiance of the laws, he must at his peril abide the consequence thereof.' 'And from hence it follows, that if two persons quarrel over night, and appoint to fight next day—or quarrel in the morning, and agree to fight in the afternoon, or such a considerable time after by which in common intendment it must be presumed that the blood was cooled, and then they meet and fight, and one kills the other, he is guilty of murder.' . . . 'And whenever it appears from the whole circumstances, that who kills another on a sudden quarrel, was master of his temper at the time, he is guilty of murder, as if after the quarrel he falls into a discourse, and talks calmly thereon, or perhaps if he have so much consideration as to say that the place wherein the quarrel happens is not convenient for fighting, or that if he should fight at present he should have the disadvantage by reason of the height of his shoes.' The last observation refers to Lord Morley's case, where though a case of manslaughter, it was a circumstance strongly pressed to show that the offence was one of deeper dye. Sir M. Foster, in his discourse on homicide, says:—'Upon this principle deliberate duelling, if death ensues, is, in the eye of the law, murder, because it is generally founded on a feeling of revenge. And if a person be drawn into a duel, not from motives so criminal, but merely for the protection of what he calls his honour, that is no excuse for those who, in seeking to destroy another, act in defiance of all laws human and divine. But if, on a sudden quarrel, parties presently fetch their weapons, and go into a field and fight, and one of them is killed, that is manslaughter, because it is presumed that their blood never cooled. Otherwise, if the parties appoint the next day to meet, or even the same day, at such an interval as that their passion may have subsided, or if,

Digitized by Google

from circumstances in the case, it may be reasonably presumed that their judgment had controlled the first transports, if death then ensue, it is murder. The same rule will hold if, after a quarrel, the parties fall into other conversation or discussion, and remain so engaged, so as to afford reasonable time for cooling.' Blackstone, in his fourth volume, p. 199, thus writes, when describing and defining the crime of murder:—'This takes in the case of deliberate duelling, where both parties meet avowedly with an intent to murder: thinking it their duty, as gentlemen, and claiming it as their right, to wanton with their own lives and those of their fellow-creatures; without any warrant or authority from any power, either divine or human, but in direct contradiction to the laws both of God and man; and, therefore, the law has justly fixed the crime and punishment of murder on them, and on their seconds also.' Those are the highest authorities known to the law of England, and they are uniformly followed by the English judges. Such being the definition of murder constantly given from the bench on trials for life and death, ought not your lordship to suppose that the legislature has made use of the word 'murder' in the same sense, and that when we find in Lord Ellenborough's Act, in that of the 9th of George IV., and in that of the 1st of Victoria, the expression 'with intent to commit murder,' it means with intent to do that which, if accomplished, would amount in law to the crime of murder. The legislature, and your lordships as part of it, must be taken to have well known what was the legal definition of murder, and to have used the expression, in a judicial act, in its legal sense. However painful the consideration may be, does it not necessarily follow that the first count of the indictment is completely proved? The circumstances clearly show that the Earl of Cardigan and Captain Tuckett met by appointment. The arrangements being completed, they fired twice; the Earl of Cardigan took deliberate aim, fired, and wounded his antagonist. He must be supposed to have intended that which he did. If, unfortunately, death had ensued, would not this have been a case of murder? The only supposition by which the case could be reduced to one of manslaughter would be, that the Earl of Cardigan and Captain Tuckett met casually on Wimbledon Common—that they suddenly quarrelled, and, whilst their blood was hot, fought; but your lordships will hardly strain the facts so far as to say this was a casual meeting, when you see that each party was accompanied by a second, and supplied with a brace of pistols, and that the whole affair was conducted according to the forms and solemnities observed when a deliberate duel is fought. With respect to the second count I know not what defence can possibly be suggested, because even if it had been a casual meeting, and if death had ensued under circumstances which would have amounted only to manslaughter, that would be no defence to the second and third counts. I presume to assert that on the authority of a case which came before the fifteen judges of England, and which was decided, two most learned judges doubting on the occasion, but not dissenting from the decision. The two judges who doubted were his grace the high steward, who presides over your lordships' proceedings on this occasion, and Mr. Justice Littledale. It would not become me to say anything of the learning and ability of the noble high steward in his presence, but with respect to Mr. Justice Littledale, I will say that there never was a more learned or acute judge than he was, whose retirement from the bench the bar have lately witnessed with reluctance and regret. I there-

Digitized by Google

fore attach the greatest weight even to doubts proceeding from such a quarter; but the thirteen other judges entertained no doubt upon that occasion, and came to the conclusion that, upon the 4th section of the act upon which the present indictment was framed, it is not necessary for a conviction that if death ensued the offence should amount to murder. The case to which I refer is to be found in the second volume of Moody's 'Crown Cases,' page 40. It was a case tried before Mr. Baron Parke, on the Norfolk spring circuit, 1838; and I will read what is material to your lordships: The case first recites the 9th of George IV., sec. 11 and 12, and the preamble, and enacting part of the 1st of Victoria, points out the circumstance that the latter act does not contain the same proviso as is found in those of Lords Ellenborough and Lansdowne, and then submits this question for the opinion of the judges: 'Is it now a defence to an indictment for wounding with intent to maim, &c., that, if death had ensued, the offence would not have been murder, but manslaughter?' Your lordships will observe that shooting at with intent to maim or disable, and stabbing with the same intent, are in the same category of subjects, and must be attended with all the same rules and incidents. This opinion will therefore have the same authority as if the question submitted by Barons Parke and Bolland had been whether, on an indictment for shooting at with intent to disable, it would be a defence that if death had ensued the offence would not have amounted to murder. The opinion of the judges was as follows:—'At a meeting of the judges in Easter term 1838, they all thought it to be no defence to such an indictment, that if death had ensued, the offence would not have been murder, but manslaughter, except the Lord Chief Justice Lord Denman, and Mr. Justice Littledale.' The Lord Chief Justice and Mr. Justice Littledale, it will be observed, did not dissent, they only doubted; but the other thirteen judges seem clearly to hold that the plea set forth does not now amount to any defence; and I apprehend that the judges probably reasoned in this manner —the intention of parliament being to make offences, before capital, punishable only by transportation, the quality of the offence is not precisely the same as before, and that if a person maims another, or disables him, or does him some grievous bodily harm, even though it were an unpremeditated act, arising out of a sudden scuffle, it should nevertheless be an offence under this act, which gives a discretionary power to the court before whom the offence is tried, either to transport for fifteen years, or to imprison for a single hour. The judges, doubtless, considering this discretionary power, and the omission of the proviso which was in the preceding acts—seeing that the capital punishment was abolished, came to the conclusion that the offence was committed, even though if death had ensued, it would not, under the circumstances, have amounted to the crime of murder. Looking at the authority of this case, I know not what defence can possibly be urged with respect to the second and third counts. I rejoice, my lords, to think that the noble prisoner will have an advantage upon this occasion which has never before been enjoyed by any peer who has been tried at your lordships' bar—an advantage which neither Lord Lovat, Lord Ferrers, nor the Duchess of Kingston, could claim. He will have the advantage of the assistance of my most able, ingenious, zealous, and learned friend, Sir William Follett, who will address your lordships in his behalf on the facts and merits of the case. This privilege is secured to the noble prisoner under the admirable law your lordships passed a few years ago, by which,

Digitized by Google

in all cases, the party has the advantage of addressing, through his counsel, the tribunal which is to determine on his guilt or innocence. Notwithstanding, however, all the learning, ability, and zeal of my honourable and learned friend, I know not how he will be able to persuade your lordships to acquit his noble client on any one count of this indictment. My learned friend will not ask your lordships—and if he did, it would be in vain—to forget the law by which you are bound. Captain Douglas stands on his trial before another tribunal, and his trial has been postponed by the judges on the express ground that the same case is first to be tried by the highest criminal court known in the empire. Your lordships are to lay down the law by which all inferior courts are to be bound. I beg leave, on this subject, to read the words made use of at this bar by one of my most distinguished predecessors, who afterwards for many years presided with great dignity on the woolsack—I mean Lord Thurlow. When Lord Thurlow was Attorney-general, in addressing this house, in the case of the Duchess of Kingston, he made use of this language:—'I do desire to press this upon your lordships as an universal maxim; no more dangerous idea can creep into the mind of a judge than the imagination that he is wiser than the law. I confine this to no judge, whatever may be his denomination, but extend it to all. And speaking at the bar of an English court of justice, I make sure of your lordships' approbation when I comprise even your lordships sitting in Westminster Hall. It is a grievous example to other judges. If your lordships assume this, sitting in judgment, why not the King's Bench? why not commissioners of oyer and terminer? if they do so, why not the quarter sessions? Ingenious men may strain the law very far, but to pervert it was to new-model it—the genius of our constitution says, judges have no such authority, nor shall presume to exercise it.' I conclude, my lords, with the respectful expression of my conviction, that your lordships' judgment in this case, whatever it may be, will be according to truth and the justice of the case, and that you will preserve the high reputation in the exercise of judicial functions which has so long been enjoyed by your lordships and your ancestors."

The evidence of the various persons who had witnessed the transaction of the duel, and which supported the statement made by the learned Attorney-general, was then produced; but, at the close of the case, it was objected by Sir William Follett, on behalf of the Earl of Cardigan, that there was no evidence to show that the person against whom the shot was discharged was Mr. Harvey Garnett Phipps Tuckett. The card of "Mr. Harvey Tuckett" had been put in; but this might be quite another person from the individual pointed to by the indictment.

The Attorney-general was heard on the other side; but, after a short deliberation, the lord high steward announced that the evidence which fixed the identity of the individual was insufficient; and the peers thereupon declared the noble defendant "Not guilty."

At the Central Criminal Court, on Wednesday the 3rd of March, Captain Douglas was put upon his trial, before Mr. Justice Williams, upon the indictment which had been found against him; but the jury, in the absence of positive evidence to identify Mr. Tuckett, came to the same conclusion as that which had been arrived at by the House of Peers; and a verdict of acquittal was returned.

Digitized by Google

HARRISON FLATHER.

IMPRISONED FOR LARCENY.

We cannot refrain from presenting to the notice of our readers the circumstances of this very singular case.

At the assizes at Carlisle, on the 23rd of February 1841, Harrison Flather was indicted for stealing five sovereigns, a purse, and a pair of ear-rings, the property of Morris Davis.

It appeared from the opening statement of the counsel for the prosecution, that the prosecutor, Mr. Morris Davis, was a Pole, and had been for some time resident in Carlisle, where he carried on business as a furrier. The prisoner was writing-master to the grammar-school, and was on this account probably selected by the prosecutor to give him lessons in the English language, and especially in writing and accounts. In the course of this employment a friendship sprung up between them; and Mr. Flather was finally made the confidant of the prosecutor in a matter of great delicacy, and was employed by him to conduct a correspondence with a young lady, to whom the prosecutor had become attached. Two letters were addressed by Mr. Davis to Miss Moore, the lady in question, the prisoner Flather being employed as amanuensis. Miss Moore was absent from Carlisle when these letters were sent to her residence; but immediately on her return she enclosed them to the prosecutor, and there, so far as she was concerned, all correspondence ceased. It appeared, however, that letters continued to be written in her name to the prosecutor, which he received through the Carlisle post. In these, reasons flattering to Mr. Davis were given for a renewal of the correspondence. Mr. Flather continued in Mr. Davis's confidence, read and explained the letters when received, wrote the answers, and to his hands the delivery of them was confided. Early in the correspondence, however, a circumstance occurred which, had Mr. Davis been better acquainted with the feelings and manners of English women, would certainly have awakened his suspicions; this was an application for money, specifying the precise sum which the lady wanted. Many of these applications were made, and always complied with. Among others was one on the 19th of November 1840, which formed the subject of the present charge. An application was made for five guineas, and, in replying to it, Mr. Davis took the opportunity of further inclosing a purse and a pair of jet ear-rings, which he had purchased for the purpose. One of the shillings enclosed was somewhat remarkable, being marked with the letter "A" on the head of the impression. About a month afterwards an inquiry took place, and it then appeared that Miss Moore knew nothing whatever of this pretended correspondence, and had never received any letter or communication from Mr. Davis whatsoever, except the two first, which she had promptly returned. The prisoner was apprehended; his house was searched; and there was found the identical shilling which Mr. Davis had so inclosed to Miss Moore some time before, and committed, as he had committed the other inclosures, to the hands of the prisoner.

To support this statement in evidence, Mr. Morris Davis and other witnesses were called. The simple Pole detailed the circumstances under which he had been so impudently bamboozled by the prisoner with much

Digitized by Google

ingenuousness. He had set great store upon the supposed effusions of Miss Moore, which amounted to between twenty and thirty in number, and kept them tied up in a bundle in his parlour. On the Friday before the Christmas-day preceding the prosecution, however, he quitted his sitting-room, while the prisoner was there, for a short time, and, on his looking for the love-letters a few days afterwards, he found that they were gone. The letters were usually couched in the most affectionate terms, commencing "My dear, dear love," and terminating, "Your ever affectionate betrothed wife, E. Moore;" but the greater part of them contained requests for the loan of money, the amount of the sum demanded varying from 2*l.* to 5*l.* He invariably complied with the demands made, and advanced in all no less than 85*l.* Flather always took away the letters; and the answers either came by his hands or through the post. He never had any suspicion that anything was wrong until he learned that Miss Moore was at Liverpool at the same time that he supposed she was writing to him from her residence at Carlisle.

On his cross-examination, Davis admitted that he was a person of inferior education, and that he was scarcely able to read or write his own or any other language. He had paid Flather a guinea for the instruction which he received from him, and a guinea for the love-letters; but the schoolmaster frequently took his meals at his house. Flather had also kept his books and had written business-letters; and since this prosecution an attorney had applied for the amount of an alleged claim he had upon him in this respect, which, however, he had not paid. In reference to the love affair the witness said, that he knew nothing of Miss Moore except that she had dealt at his shop, and that she had never personally favoured his advances. After the first two letters had been returned, he asked her whether she had sent them back, and she answered in the affirmative. He replied that he was satisfied; but subsequently he was induced to recommence the correspondence, upon receiving a note, apparently from her, stating that she had been compelled to discourage his addresses in obedience to the wishes of her friends, and that she was desirous of maintaining a communication with him. In subsequent letters she made appointments to meet him, which, however, were invariably postponed; and she even went so far as to speak of running away with him to Gretna-Green, for which purpose he sent her 5*l.* in obedience to her request; but this scheme was also abandoned.

Miss Moore, of Paternoster-row, Carlisle, was called to prove that she had never written letters to the prosecutor, and had never received any from him through the medium of the prisoner; and other witnesses spoke to the facts opened by the prosecuting counsel, as well as to the additional circumstance that green-edged paper, like that on which Miss Moore's supposed letters had been written, had been found in the possession of the prisoner.

The jury found the prisoner "Guilty." He was then tried upon a second indictment, charging him with a like offence in reference to some of the other sums which he had obtained of the prosecutor, and a similar verdict was returned.

Mr. Justice Maule immediately sentenced him to be confined in the House of Correction for sixteen months.

Digitized by Google

RICHARD MOORE.

TRANSPORTED FOR FORGERY.

At the Central Criminal Court, on Saturday the 6th of February 1841, Richard Moore, aged thirty, was indicted for feloniously uttering and putting off a forged note, purporting to be a genuine note of the Salop bank, for 5*l.* well knowing the same to be forged, with intent to defraud Messrs. Glyn, Halifax, Mills and Co., the bankers, of Lombard-street.

The circumstances which transpired in the course of the investigation were of a remarkable character. Mr. Moore was a person of gentlemanly appearance, and was a member of a highly respectable Irish family, possessed of good means. The unfortunate young man when he came of age received a property sufficient to have placed him in a situation above the common rank. Naturally wild and unsettled in his disposition, he soon became involved in all the gaieties of the metropolis of his native country; but he ere long changed the scene of his actions to London. Here he entered even more largely into the amusements of life; and few years had elapsed before he had dissipated the greater part of his possessions. The gambling-table had served in a great measure to produce this unfortunate effect, and to the gambling-table he resorted for the purpose of renewing those means of which it had already deprived him. Every effort served but to plunge him deeper into difficulty; and at length he was driven in despair to a method of retrieving his lost fortunes which rendered him open to a prosecution for putting off forged notes.

The circumstances proved in reference to the particular case upon which he was first tried were these:—On the evening of the 31st of January, the prisoner, accompanied by a gentleman who was in the habit of visiting the billiard-rooms of a person named Cooke, at No. 358, Strand, entered those rooms, and after a short time, sat down to play loo with a party. He played throughout the evening with varied successes, paying his first losses with what appeared to be genuine country bank-notes; but when he rose to quit the room, he was in debt to Cooke, the keeper of the house, in the sum of 30*l.* which he had advanced to him. He gave his I.O.U. for the amount, stating his address to be "Wright's Hotel," Strand, and went away. In the course of the evening Cooke had given change for nine of the notes which had been paid by the prisoner; and in the morning he sent his wife into the city to procure cash for them at the various banking-houses at which they purported to be payable. She received the money for some of them; but at length, upon her presenting a note at Messrs. Glynn and Co.'s, she was detained. She immediately explained what she knew of the transaction; and her husband having been sent for, he confirmed her statement, and they were liberated. On that evening a note was taken to Mr. Cooke by the porter of the Hotel Fricour, Leicester-square, which was written by the prisoner, in which he expressed his regret at having disposed of notes which he had discovered were forged; but he assured Mr. Cooke of his desire at some future time to repay him what he had lost, saying, that he had received the notes on the day before from a school-fellow in payment of a bet upon a race which he had won some time before. Cooke,

Digitized by Google

accompanied by Forrester, the city officer, who had been engaged to trace the prisoner, immediately proceeded to the hotel from which the letter was dated, and found the prisoner in the coffee-room. They directly took him into custody, and he made no effort to escape or to deny the guilt imputed to him.

Subsequent inquiries proved that the notes which the prisoner had put off were genuine impressions of the plates prepared for the various banking companies, by whom they purported to have been issued, but all that part of them which gave them the character of genuine instruments, including the signature of the director, was forged. The exact means by which these impressions had come into the possession of the prisoner was a mystery; but upon application to Messrs. Perkins and Co. of Fleet-street, who had prepared the plates, it was elicited that it was their custom to send out to the various country banking firms proof impressions of the plates which they had engraved as specimens of their work. The notes uttered by the prisoner were of this character, and they bore upon them evidence of the employment of great ingenuity in their preparation. The specimen notes were invariably issued, pasted upon card-board of considerable thickness; it appeared that the notes in question had been removed from the card-board, but being of insufficient substance, by reason of their being impressions on India paper, a piece of paper of the ordinary quality used in the genuine notes had been placed upon the backs of them so as to give them all the appearance of the notes in common circulation. The signatures appended to them did not appear to have been copied from any of the original notes; and in some instances, indeed, names had been employed entirely dissimilar to those of any of the directors of the bank.

Mr. C. Phillips, who was retained as counsel for the prisoner, addressed the jury on his behalf, urging that in truth he had no intention which was actually dishonest, and suggesting that the unfortunate man having been deprived of his property by gamblers, had sought to recover it back again by means, undoubtedly dishonest, but scarcely more blameable than those which had been employed by those by whom he had been fleeced. He was informed that it was by no means uncommon for flash notes to be employed by persons connected with gambling-houses, as a means of decoying their prey; and he asked whether, in truth, the prisoner had been guilty of anything more dishonest. The absence of all evil intention had been plainly shown in the immediate notice which he had given of the notes which he had put off being fictitious, and this at least was a point in the case which entitled him to some consideration.

The jury returned a verdict of "Guilty," but recommended the prisoner to mercy upon the ground suggested by the learned counsel.

The prisoner was then indicted upon a second charge, of uttering two notes of the respective amounts of 5*l.* and 10*l.*, with intent to defraud the Boston Bank.

The means employed by the prisoner in putting off these notes were very similar to those which he had used in the former case. The offence was alleged to have been committed on the 28th of January; and it appeared that on that night the prisoner went to a notorious gambling-house situated at No. 7, Leicester-square, kept by a person named Thompson, and demanded to know whether there was any play, and what bank there was. He was informed that the bank contained 130*l.*, and Chappell, the atten-

Digitized by Google

dant in the rooms, offered to play with him, in default of there being any one else there. They played, and in a short time Chappell won 70*l.*, which the prisoner paid in what appeared to be country bank-notes, of various denominations. The prisoner declared that he had no more money left then; but asked whether, if he went for some more, the rooms would be open when he returned. He was answered in the affirmative, and in about fifteen minutes he went back. At this time Thompson, the keeper of the rooms was there, and the prisoner having played again, by about four o'clock in the morning he had lost 75*l.* more, which he also paid in notes of the same description as those which he had before put off. He said he would fetch more money, if the rooms would be open; but Thompson expressed some unwillingness to allow any more play, as the usual time for closing the house had passed. The prisoner, however, went away and returned, but he found the door closed. He appeared angry and excited, and insisted upon having his revenge, and Chappell at length let him in. By nine o'clock in the morning he had lost 380*l.* in addition to the sums which he had previously paid; and he handed over a Manchester bank-post bill for 300*l.*, and another for 80*l.*, and then he went away. In the course of the day Thompson and Chappell went into the city to procure change of the country notes, and they obtained cash for some of them, which were not payable in London, at a bullion-dealer's in Cheapside, upon the deduction of two and a half per cent.; but upon their presenting some others at the banking-houses at which they were payable, they were taken into custody. They explained their characters and the manner in which they had obtained the notes, and were set at liberty. When the prisoner was taken into custody, a letter was found on his person addressed to Thompson, which, it appeared, he was about to despatch to that individual, in which he declared that he had just discovered that he had been imposed upon, and had paid him with forged notes, but offered to give him bills of exchange for the amount which he owed him, at various dates.

The defence in this case was the same as that which had been before put forward, and the inquiry was attended with a similar result,—the conviction of the prisoner.

Mr. Justice Coltman, who was the presiding judge, in passing sentence upon the prisoner, remarked that his offence was materially aggravated by the station in society which he had held, and the education which he had received. In a commercial country, where so much depended upon the proper maintenance of the public securities, forgery could not be looked at as a slight offence. In this case the safety of the commercial transactions of the country might have been peculiarly affected, and a severe example was called for. His lordship then sentenced the prisoner to be transported for fifteen years.

Digitized by Google

PATRICK MAXWELL STEWART WALLACE; AND MICHAEL SHAW STEWART WALLACE.

TRANSPORTED FOR INCITING A PERSON TO CAST AWAY AND DESTROY A MERCHANT SHIP.

THE crime of these prisoners was of a most heinous description, and fully entitled them to receive that measure of punishment which, by the sentence of the court, they were directed to undergo. They were persons of respectable origin and connexions, and had for some time carried on business in the city of London as merchants. They were tried at the Central Criminal Court, at the March sessions, 1841, on a charge of inciting one Edmund Loose to cast away the ship Dryad.

The indictment contained twenty-six counts and charges: First—"That one Edmund Loose, late of London, mariner, on the 10th of November, in the third year of her present Majesty's reign, being the captain of a certain vessel called the Dryad, the property of Alexander Howden and others, did, with force and arms, upon the high seas, within the jurisdiction, &c., feloniously, unlawfully, and maliciously, cast away and destroy the said vessel, with intent thereby to prejudice the said Alexander Howden and another, against the form of the statute in such case made and provided; and further, that Patrick Maxwell Stewart Wallace, late of London aforesaid, before the said felony was committed in form aforesaid, namely, on the 1st of August in the year aforesaid, did feloniously and maliciously incite, move, procure, aid, counsel, hire, and command the said Edmund Loose the said felony, in manner and form aforesaid, to do and commit, against the form of the statute in such case made and provided, against the peace, &c.; and further that Michael Shaw Stewart Wallace, late of London aforesaid, before the said felony was committed, &c., did feloniously and maliciously incite, &c., the said Edmund Loose the said felony in manner and form aforesaid, to do and commit, against the form of the statute," &c.

Second count—The same as the first, but without naming the owner of the vessel.

Third count—Stated the intention of the prisoners to have been to prejudice and defraud Pedro de Zulueta, and others, the owners of certain goods, laden and being in and on board the said vessel, belonging to Alexander Howden and others.

Fourth count—The same as the third, but omitting the name of the owner of the vessel.

The other counts stated the said Edmund Loose's intention to be, to prejudice and defraud various individuals, and that the prisoners did feloniously and maliciously incite the said Edmund Loose to commit the said felonies.

The proceedings commenced on Wednesday the 3d of March, when Mr. Jervis, as counsel for the prisoners, took an objection to the proceedings. Edmund Loose, who was charged as the principal felon, did not appear to plead, and he contended, that it was incompetent for the court to try the prisoners upon the indictment, alleging them to be accessories only in the

Digitized by Google

absence of Loose. He admitted that they might be tried for a substantive felony, but that was not the nature of the offence alleged.

The Attorney-general contended that, by the Act 7th Geo. IV. chap. 64, sect. 9, the accessories could be tried in the absence of the principal felon.

After some further discussion, the court ruled that the prisoners could be tried for a substantive felony, according to the statute, and that they might proceed upon the present indictment; but he left the question open, so that the prisoners might have the advantage of a more full consideration of the point.

The Attorney-general then elected to proceed separately with the trials of the two prisoners, and the case of Patrick Maxwell Stewart Wallace was determined to be taken first. The evidence produced in the two cases, however, was exactly similar, and the statement of the facts proved in one of them only will be sufficient to put our readers in possession of all that was material to the inquiries.

The evidence was divided into two classes, the first of which referred to the conduct of the two prisoners in procuring excessive policies of insurance to be effected upon the ship and cargo; while the second related to the demeanour of Loose, the captain of the Dryad, on her voyage, from which it was sought to prove that he had wilfully cast away the vessel.

With reference to the first part of the case, it was shown that the Dryad was a brig, of which one-fourth share belonged to Messrs. Howden and Ainslie, ship-brokers, while the remaining three-fourths were the property of the prisoner Michael Wallace. The latter had purchased his share of a Mr. Gillespie in the year 1838, for 1600*l.*; and the vessel after that was docked and rendered a first-class ship, an outlay of 600*l.* having been made upon her. In July 1839, the Dryad was chartered to Messrs. Zulueta and Co., merchants of Liverpool, for a voyage from that port to Santa Cruz, for 300*l.*: Michael Wallace acted as ship's husband, and he directed Messrs. Howden and Ainslie to effect policies of insurance upon the vessel in 2200*l.*, and upon the freight in 300*l.* These policies were accordingly effected in the office of the Marine Insurance Company. In the same month, however, other policies were effected in respect of the same ship by directions of the two Wallaces. In the Alliance Insurance Company, a policy for 715*l.* was effected on goods; in the General Maritime Insurance Company, a policy for 1265*l.* was likewise effected on goods; in the Neptune Insurance Company, a policy of 700*l.* was effected on the ship and outfit, and a policy of 687*l.* on goods; in the Mutual Marine Insurance Company, a police of 600*l.* was effected on goods; and another policy for 650*l.* was also effected by Messrs. Bahr and Bearing, of Liverpool. Independently of these policies, an insurance to the amount of 3000*l.* was also effected by Messrs. Zulueta and Co. at Lloyd's, in respect of the cargo which they sent out by the vessel. The total amount, therefore, insured upon the Dryad and her cargo was 10,117*l.*; of which, deducting the value of Messrs. Zulueta's policy, and of that effected by Messrs. Howden and Ainslie, 6617*l.* stood in the names of the prisoners—a sum far exceeding the real worth of their interest in the vessel and her cargo. The Dryad having arrived at Liverpool, Messrs. Zulueta proceeded to load her with such goods as they wished her to convey to Santa Cruz. About three hundred tons were put on board, and on the 7th of September the vessel sailed from port. When she had gone, the prisoner Michael Wallace informed Stott, an agent whom he had em-

Digitized by Google

ployed, that he had put some goods of his own on board, although it would have been contrary to his agreement with Messrs. Zulueta if he had done so. In January 1840, a claim was sent in to the various insurance offices for the amount of the policies effected as for a total loss of the Dryad. Some conversations took place between Patrick Wallace and Stott, in which the former made use of expressions which seemed to imply that Loose, the captain, had purposely lost the ship, but the greater part of the insurances were paid to the two brothers, and placed to their accounts at the banking-houses where they usually deposited their money. The return of some of the seamen of the Dryad to London, subsequently enabled the parties to the policies to obtain evidence confirmatory of suspicions which they had entertained with regard to the loss of the Dryad; and in the month of November 1840, Patrick Wallace was taken into custody. His brother, Michael, at that time was living in Tredegar-square, Commercial-road; but upon inquiries being made for him, he was found to have absconded, and his house was discovered furnished throughout, but abandoned by its occupants. On the 16th of December, however, Michael was also secured, having been found living in a small row of houses in the outskirts of Lancaster, whither, according to his own account, he had gone that he might not be called upon to give testimony against his brother.

The evidence for which it was sought to prove that the Dryad had been wilfully cast away, a fact which, it may be observed, was necessary to be shown as an ingredient of the offence charged against the prisoners, was as follows:—

Ronald Maxwell said—I sailed as first-mate in the Dryad on a voyage from Liverpool to Santa Cruz. Captain Loose engaged me in Liverpool on the 4th of September, 1839, to go from Liverpool to Santa Cruz, from Santa Cruz to St. Jago, and thence to Swansea. I have commanded a ship in the South American trade, and I have crossed the Atlantic frequently. I have been to the West Indies, and I know the navigation of those seas. On the 4th of September we took in a few cases of hardware and a few kegs of paint. They came from Zulueta's, and I signed bills for them. From the time I entered the ship to the time we sailed, we took no goods on board except Zulueta's. I locked the ship up at night, and saw her again in the morning. One-third of the hold remained unfilled. After I went on the 4th of September there was no earthenware taken on board, nor were there any cases of flannels, cloth, or prints. There were no barrels of butter, beef, or pork taken on board, except for the ship's use. There were on board two tierces of beef and four barrels of pork. That was scarcely a sufficient quantity for the outward voyage. When a vessel sails for a place such as Santa Cruz, it is usual to take provisions for the homeward as well as the outward voyage. We went out of the dock on the 6th, and sailed on the 7th of September. We had ten hands on board, including the boy and the captain. We went through the North Channel. It is not unusual, according to the wind, to go by the North Channel. Captain Loose ordered me to get tackles rove and coiled in the long-boat, that she might be ready if she were wanted. We had no log-line when we sailed. I endeavoured to make one of spun-yarn, but I found that it was too heavy. We had no proper log-line while I remained on board. The log-board was choked when I endeavoured to sound, a short time after we got to sea. I tried to clear it out, but I could not do

Digitized by Google

it. I told Captain Loose of it, and he said nothing particular. The pump was never made to suck. There was a chronometer on board, I think, but I never saw it. I frequently asked to use it, but Captain Loose would not allow me to see it. We pursued our course to the West Indian seas. There is generally a course laid down on the chart as a guide. About longitude 59 deg. W., Loose deviated from the proper track, and steered to the northward. We first made land at Virgin Guarda. I told the captain that I had seen the land, and he came on deck, where he remained several minutes. A few minutes afterwards I observed breakers a-head and low land. The breakers denoted a reef, and the low land was Anagada. We were about five miles from it. I observed it about six o'clock in the morning. I told the captain that I observed breakers a-head, and he jumped out of bed, and came on deck. Benjamin Shooltz was at the helm, and I told him to put the helm down, and put the ship round to keep her off the breakers. The captain then ran to the wheel and put the helm up, and the ship went direct on towards the breakers. Loose took the wheel himself, and remained at it a short time. Two of the crew came into the waist and complained of the captain, and they said that they would take the helm themselves and put the ship round, for they were not going to be lost. Upon this the captain left the wheel and Shooltz took it. He put the helm down again and the ship came round. When the helm was put down, the ship just cleared the breakers. In a few minutes she would have been on shore. When the ship came round, the captain said he did not think she was so near. Before the ship came round, the captain told me to mind my own d—d business, and take the studding-sails down. He also said that he would have me tried for mutiny for taking charge of the ship. This happened on the 17th of October. On the 19th we were on the Silver Keys, to the north of St. Domingo. He ought, I consider, to have gone by the south side of St. Domingo, between Antigua and Guadaloupe, to get to Santa Cruz. The ship ought to have been nearer the shore to avoid the Silver Keys. They are laid down on all the charts I have seen. About half-past six or seven o'clock in the morning, I saw a rock on the larboard bow, about three or four fathoms off. I told this to the captain, and he came on deck. I pointed the rock out to him. The captain said he could not see it. He had his telescope in his hand. The water a-head was discoloured. This indicates a shoal in these seas. One of the crew from the fore-yard called out, "Rocks under the fore-foot!" and I and the captain ran forward and looked over the bow. I saw the rocks, and Captain Loose said, "We are lost! we are all lost!" Immediately afterwards the ship struck, and remained fast for fifteen or twenty minutes. Loose ordered the jolly-boat to be hove overboard, and we put tackles over the long-boat to save ourselves. After about twenty minutes she got off. She afterwards struck another rock, and remained upon it a few minutes, but then dragged past it. The captain was putting a "life-preserver" on during this time. By the second rock the rudder was unshipped. We now trimmed the sails, to keep the ship before the wind. I wanted to make a temporary rudder, and I asked the captain to allow me to take some spars to do so, but he refused, and said we were in a pretty state—a ship at sea without a rudder—we had better have been all asleep a few days before, and have allowed the ship to run ashore at Anagada. The carpenter at length made a temporary rudder,

Digitized by Google

and on the 20th we got to St. Domingo. Until the 22nd we proceeded along the coast. We ought, in order to avoid the breakers, to have kept further off. We were frequently near them, and the crew had all their clothes packed up ready if the ship should strike. On the 22nd we were near a reef off Cape Hayti, and the jury-rudder unshipped. The captain asked me what was best to be done; I said there was no danger if we were to put in to the harbour. He asked Shooltz and another what they thought, and they said that the harbour was before them, and they thought they could get in. Loose said he would not do so, for he had no pilot on board, and if anything happened to the vessel he should lose the insurance. I then said that we might put out to sea and replace the jury-rudder, and stand in and get a pilot the following morning. The captain went to bed at eight o'clock. I saw a sail about nine on the larboard quarter. I mentioned this to the captain, and he came on deck. I said she was a large ship, probably a man-of-war, and she could give us assistance if we ran down to her. We could have easily gone down before the wind. The captain would not allow us to go down, and he went to bed again. At daybreak we were to the south-east of the entrance of the port. We saw a ship to the north of the port. We were steering towards the reef, and we could see the breakers a-head. They were probably two miles off. Loose was on deck about seven o'clock in the morning. The Dryad was then steering towards the reef, in the direction which he ordered. The ship we saw to the northward fired a gun, and we found it was the Bencoolen. This was to warn us that we were running into danger. The Bencoolen had a union jack hoisted for a pilot, but Loose would not allow me to hoist one, saying if the pilots were too lazy to come off without a signal, they might stay ashore. The Dryad kept the same course until a pilot came on board. When I told Loose that the ship to the northward had fired a gun and hoisted a signal, he said that was nothing to him. The pilot came on board about eleven o'clock in the forenoon. The captain called him aft and showed him the jury-rudder, and asked him if he would take charge of the vessel. He said he would if the crew would work the ship in. He then took us into port. This was on Wednesday the 23rd of October. I left the Dryad on the 2nd of November. I assigned a reason to Loose for leaving the vessel. I was paid my wages (excepting 2*l.*) by Captain Loose, and I went on board the Bencoolen. [The witness pointed out on the chart the course taken by the Dryad, and showed the track that he considered she ought to have gone]. There was nothing in the state of the wind or weather to induce the captain to keep the ship so near the shore at St. Domingo.

Benjamin Shooltz examined: In 1839, I shipped on board the Dryad at Liverpool for Santa Cruz. I have recently come from the coast of Africa. I came to England seventeen days ago. Captain Loose engaged me. We had very little provisions on board, and we were poorly furnished with spare spars, &c. The captain frequently told me to keep the long-boat always in good order and ready for sea at once. We hove in sight of Anagada on a Thursday. I saw the breakers and called Maxwell the mate. We were about four or five miles from them. I received orders from the mate to put the ship round, and he then went to the captain. When I brought the ship round, she was going from the breakers. When the captain came on deck, he cursed me, and asked me who gave me orders

Digitized by Google

to put the ship about. He took the helm and brought the ship round towards the reef again. I said to the captain, "I took the orders myself, and I did not wish to put the ship on a reef in broad daylight." When the captain put her up again, the crew all came aft to him, and asked him what he intended to do. He did not keep the helm long, and I went to it when he went below, and put it down, and the ship went away and cleared the rocks. If she had gone on two minutes longer, she would have been on the rocks. Two days afterwards we were on the Silver Keys. We saw breakers a-head, and a lump of rock a little on the larboard side. I had the helm at this time. When I saw the Silver Keys, I hailed the mate, and he went down and informed the captain. When the captain came up, he said he did not see the rock. He had his glass then. I saw the rock with my naked eye. A man on the fore-yard, about five minutes afterwards, shouted out that there was about four feet water under the keel, and he saw rocks. The captain was on deck, but he did nothing. Shortly afterwards the vessel struck. The captain was very frightened at the time, and cried out "What shall we do, lads?—we are lost!" The long-boat was lying on the gripes off the ship, and the jolly-boat lay upon her. This is the usual way they are stowed away. When the ship struck, the rudder unshipped. This was about seven o'clock in the morning. The captain went to the helm shortly after the Dryad struck. The day before we made St. Domingo, the strap came off the jury rudder. At that time the captain's life-preserver was on deck. The crew told him if he put that on, they would cut it all to pieces. We were then five miles from Cape Hayti. There was no reason for keeping so close to the shore as we did. I remember the night before the gun was fired; that night we kept out to sea. We were about five miles from the breakers when the gun was fired, and we were then steering direct upon them. The ship's course was not altered when the gun was fired. The previous night the captain asked me and Davis, the second mate, what we should do, as we had got no rudder. We said that the best way would be to keep out to sea, and stand in for Hayti in the morning. We had not signalled for a pilot on board the Dryad. When the pilot came on board, he easily put the ship round and took us into the harbour, where we remained nine or twelve days. Many complaints were then made by the crew to the captain. We made an effort to be permitted to leave the ship at St. Domingo, but we were not allowed by the captain. The mate left the Dryad on the 2d of November. On the 5th we sailed from Hayti, and on the 10th the Dryad struck on the reef at Cape Cruz. About ten minutes before, we struck on a small lump of rock. We saw the reef all the day before, but the ship's course was not altered to avoid it. I was acting under the orders of the captain when the ship struck. He was on deck all the night. She struck about half-past two o'clock in the morning. The captain never was on deck all night before. A man named Simpson was at the helm, and the captain told him to run away, or he would get hurt. The crew came on deck and spoke to the captain. The ship did not make a drop of water that night. I sounded one of the pumps frequently. No orders were given to the crew to get the ship off the reef, and he went below. In my judgment, the ship might have been got off, as the vessel was making no water. The captain left all the sails up. The crew were willing to work if they had been directed. If an anchor had been put out and her sails dowsed, she might have got off. A canoe

Digitized by Google

came off to us. There were Spaniards in it, and the captain asked if there was a town near, and he was told there was one about thirty miles over the mountains. The Spaniards also said there was a consul ashore. The captain went ashore in the boat. He came back and said he had been to the Spaniard's house. The crew, with the exception of Simpson and myself, went ashore. The ship made no water at this time. When the captain was ashore, we made sail with the other boat and went round the ship. At her stern we found a cigar-box and a bolt attached to it. The water was clear, and we took it up. We found several letters and some leaves of the log-book in it. Loose came back from the shore that night, and the next day he had a conversation with me and the crew. He took the long-boat with him and we all went to Jamaica, where the protest was noted. We kept the letters, and at one time produced them to the captain, and he snatched them away from Simpson, and gave him four pound-notes for them. This was two days after we got to Jamaica. After we went to Jamaica, none of us went back to the vessel. Before I left the ship I found a hole under her stern. No rock could make such a hole. It was big enough to admit my shoulders. The previous day she made no water, and I told the captain so. It was on the evening of the next day I discovered the hole. The weather was not at all boisterous then. The position in which the ship was could not account for the hole. I sounded her after finding the hole, and found five feet of water in the hold. The next day we left for Jamaica. The vessel could then have been got off. I saw the hole from the inside. It was in the state-room, which was locked. The captain saw it plainly, being in the cabin where it was. From the time we struck upon the Silver Keys the crew kept their clothes in bags in readiness to leave the vessel, expecting she would get upon a reef. It is my opinion that the ship was wilfully cast away by the captain.

The witness, in cross-examination, admitted that he had sworn to the protest which had been drawn up at Jamaica, and had stated in it that he believed the vessel to have been accidentally lost. He stated that the effect of the contents of the papers which he had picked up when the vessel was on the rocks was an intimation from the captain that he had cast away the ship intentionally; but he also said that the cigar-box in which they were contained lay at a depth of six fathoms, and that he had fished it up with an oar. He imagined that Loose had himself cut the hole which was found in the stern of the ship.

Other evidence was given, from which it appeared probable that Captain Loose was dead, and by which the various sums of money received on account of the policies of insurance were traced to the possession of the two prisoners.

Mr. C. Phillips, on behalf of Patrick Wallace, addressed the jury in a powerful speech, urging that the evidence of Shooltz was not worthy of credit, and that without that evidence the case was incomplete; and also contending that the policies of insurance which had been effected were by no means so excessive in their amount as to lead to the positive conclusion that they had been effected with a view to the destruction of the vessel. He alluded with great force to the death of Loose, and his consequent inability to put such questions on the cross-examination of the witnesses as might lead to the development of the truth; and he urged that the jury having found that a protest was made at Jamaica, describing the loss of

Digitized by Google

the vessel to have been accidental, which was signed not only by Shooltz, but by four other persons besides him, and the captain, they would take that to be the truth, and would on that ground acquit the prisoner.

Lord Chief Justice Tindal summed up the case to the jury, and after some consideration they returned a verdict of "Guilty."

On the next morning Michael Wallace was put upon his trial; but, as we have already stated, the facts proved against him were so precisely similar to those which were adduced in evidence in the case of his brother, that they need not be detailed. At the end of the second day's trial, after a speech to the jury from Mr. Jervis, who appeared for the defence of this prisoner, in which he again urged the same topics which formed the grounds of defence in the former case, a verdict of Guilty was returned.

The two brothers were then placed at the bar to receive sentence.

The Lord Chief Justice in delivering judgment said that it would of course depend upon the decision upon the point of law whether the punishment which he should direct them to undergo would be carried out. The prisoners had been found guilty, after fair and impartial trials before intelligent juries, of the offence of having feloniously incited one Edmond Loose, the captain of the ship Dryad, wilfully to cast away that ship for the purpose of defrauding the underwriters. He felt bound to say that he was perfectly satisfied with the verdicts which the two juries had found in the respective cases of the two prisoners. It was an offence of very grave importance, tending to check the spirit of mercantile adventure, and the commerce of this country, because it was aimed at defrauding those persons upon whose responsibility much of that adventure and commerce depended. It was to be observed that the loss in this case had fallen upon the underwriters, and the checking of their business might produce serious results. The effect of a policy of insurance was to cast upon a company a loss which, if it fell upon one individual only, might be ruinous in its consequences; and it could not but be observed that the numerous insurance companies of this city could no longer exist unless their proceedings were protected by the law, and offences directed against their fair and honest gains were punished with its just severity. In this case there were circumstances of great aggravation, because the result of the foul crime which had been committed might have been not only the loss of property, but of life. The penalty applied by the law to this offence was no longer capital. He rejoiced at that, but at the same time he felt that it was his duty to visit the offence of the prisoners with a severe punishment. The sentence of the court was, "That the prisoners should be transported beyond the seas for the respective terms of their natural lives."

The prisoners were then removed from the bar.

Digitized by Google

DAVID SAMS.

TRANSPORTED FOR BURGLARY.

THE name of this hardened offender has been already before our readers, and his case will show how unavailing are the most solemn warnings to the mind naturally addicted to crime.

The first offence alleged against Sams was that of the robbery and murder of an old pensioner named Bennett, at Tewen, near Hertford. For that crime he was tried with two other young men named Roach and Fletcher at the Herts Assizes, when, although there appeared to be very little moral doubt that he had been the original concoctor of the scheme, and had actively assisted in the perpetration of the horrible crime imputed to him, owing to a failure of the necessary legal evidence as to his identity, he was acquitted, but his two unhappy companions were convicted and subsequently executed. Almost immediately after this, Sams committed another robbery, and was tried and convicted, and sentenced to six months imprisonment. Shortly after this period of imprisonment had expired, a young man named Thomas Taylor, who had also been charged with being concerned in the robbery and murder of the old man, was taken into custody, and upon his trial Sams was admitted as witness for the Crown, and he then detailed all the circumstances of the murder, and stated that it was committed by the two men who were executed, Taylor, and himself, and that they divided the money between them. Upon this evidence, and other corroborating testimony, Taylor was convicted and executed.

It might have been thought that such circumstances as these would have induced Sams to change his wicked courses, the more especially as some of the gentry in the neighbourhood of Hertford interested themselves in his behalf, and obtained him employment, whereby he might have earned a reputable subsistence, but he speedily resumed his old habits, and his employers could keep him no longer.

He now quitted the vicinity of the scene of his crimes and his disgrace, but, led on either by want or some worse inducement, he was again guilty on two separate occasions of acts of felony, for which he was apprehended and imprisoned.

On his discharge he was again thrown upon the world, and he once more ventured to the scene of his early life. Old recollections seem but to have reproduced new acts of crime, and at length he was secured while in the very act of breaking into a farmhouse at Ware. For this offence he was tried at the Spring Quarter Sessions for the county of Hertford, held in March 1841, the Marquis of Salisbury sitting as Chairman. The evidence was too clear to admit of a doubt being entertained, and a verdict of Guilty was returned.

The Marquis of Salisbury, in passing sentence, observed that he never knew an instance of so hardened a criminal as he appeared to be. He thought he should be neglecting his duty to the public if he did not pass upon him the severest sentence of the law; which was, that he be transported for the term of his natural life. The convict heard the sentence with the greatest coolness, and at its conclusion nodded to one or two of his old companions in the body of the court, and walked away laughing from the bar.

Digitized by Google

WILLIAM STEVENSON.

TRANSPORTED FOR LARCENY.

THE charge preferred against this person, and of which he was found guilty, was that of stealing from his employers, Messrs. Mercer and Co., of the Maidstone Bank, a bag containing 500*l.* in gold. For this offence he was tried at the Maidstone spring assizes, on the 17th of March 1841, before Lord Denman, when the following remarkable facts were proved in evidence:—

It seemed that in the month of October, 1839, Mr. Mercer wrote to his London agents, Messrs. Masterman, the bankers, to remit to him fifteen hundred pounds in gold, and five hundred pounds in silver, and that sum was accordingly placed in seven bags, one containing a thousand pounds in gold, another five hundred in gold, and five bags, each containing one hundred pounds in silver, and the whole were placed in a box, of which Messrs. Masterman and Mercer had each a duplicate key, and the box was then committed to the care of Wallis, one of the Maidstone coachmen, to be conveyed to that place. The box was duly carried to Maidstone, and the prisoner, who acted as porter at Mr. Mercer's bank, was sent to fetch it, and he brought the box to the bank about seven o'clock in the evening, and it was taken from him by Mr. Mercer, jun., who unlocked it and took out the bags of coin, and, without examining them, placed them in the strong chest; but he observed that at this time there were only six bags, namely, one large one, which he supposed contained the fifteen hundred pounds in gold, and the five bags of silver. The next morning, upon the money being examined, it was found to be five hundred pounds short of the proper quantity of gold, and on a communication being made to Messrs. Masterman, the loss of the second bag of gold was discovered.

No clue whatever at this time could be obtained as to the perpetrator of the robbery, but no suspicion was entertained of the prisoner, and he was retained in the prosecutors' service until the following month of January, when, for some act of misconduct, he was dismissed. Shortly after this, the prisoner set up in business in the town as a grocer, and some other circumstances coming to the knowledge of the prosecutors, induced a suspicion that he was the thief, and a search-warrant was obtained and placed in the hands of Faucett, the superintendant of the Maidstone police, who proceeded to the prisoner's house, and, upon searching it, he found a number of watches and time-pieces. When the prisoner was told by the officer what was the nature of the charge against him, he denied all knowledge of the robbery, and told him he might search where he pleased. The officer then asked what money they had in the house, and about seven pounds in gold and silver were produced by the prisoner's wife. He asked whether they had not got any more money, and the prisoner's wife went up to the bed-room with him, and she produced from between the bed and the mattress a bag, containing forty-five pounds, in sovereigns and half-sovereigns. He also found an I O U for 10*l.*, signed by a person named Merston, who proved that the prisoner lent him ten sovereigns upon it, and that he was paying him interest.

Digitized by Google

It was also proved that before the robbery the prisoner had only been in the receipt of a pound a week, and that he was in very poor circumstances; and it appeared that after he was discharged he had purchased two houses in Maidstone, for which he paid 350*l.*, and the payment was wholly in sovereigns and half-sovereigns. Further it was shown, that the prisoner had taken the grocer's shop and had paid a considerable sum for good-will and stock in trade, without having any means to do so, except, as was suggested, by that of having committed the robbery.

Mr. Sergeant Shea made a powerful address to the jury on behalf of the prisoner, and said that the sole evidence by which it was sought to convict him of the crime imputed to him was his being in possession of an amount of money which the prosecutors chose to consider he could not have been possessed of by his own means. The learned counsel said, however, that he hoped to be able to satisfy the jury that the money the prisoner had spent was his own property.

Some witnesses were then called for the purpose of showing that at the various elections in the borough sums of money had been given to the prisoner, and it was elicited that a vote was always worth something, and one witness went so far as to say that he considered his vote worth 15*l.*

Several other witnesses were examined, but although it was admitted that money had been given to the prisoner in sums of 8*l.* and 10*l.* at different times, the witnesses said the money was only given out of charity, and the evidence did not in the slightest degree show a probability of the prisoner being lawfully in the possession of the money he had expended.

Lord Denman then summed up the evidence, and went through the whole of it in the most careful and impartial manner, and concluded by leaving the case in the hands of the jury, who, after a short deliberation, returned a verdict of "Guilty."

The learned judge, addressing the prisoner, said that no person who had heard the evidence adduced could doubt, for a moment, that he was guilty of the offence imputed to him. It was a very serious one, and he felt himself called upon to pass a severe sentence. His lordship then ordered him to be transported for fourteen years.

JAMES INGLETT.

CONVICTED OF MANSLAUGHTER.

THE case of this unfortunate person excited considerable interest in the vicinity of the place where it occurred, as well on account of the peculiar circumstances by which it was surrounded, as of the great age and high respectability of character of the accused. Inglett at the time of his trial had atained the age of ninety-four years; he was indicted at the Huntingdon assizes on the 19th of March 1841, for feloniously killing and slaying one Elizabeth Harlett, by administering to her a quantity of arsenic.

The very venerable person who stood charged with this offence had for many

Digitized by Google

years carried on the business of farmer and "cow-leech," and in the latter character was in the habit of administering medicines to various kinds of cattle. His great age and his long acquaintance with the healing art had caused him to be regarded with much respect among the simple people of his neighbourhood, where his character had been unexceptionable. The deceased, who lived in the village of Houghton, near Huntingdon, was taken ill during the year 1840, and the parish apothecary used all his art to restore her to health, but in vain. About Christmas the prisoner was called in to see her, and he immediately administered to her a dose of liquid medicine, which made her very sick, and caused her great suffering, but she got better after taking it; and on the morning of the day when the fatal potion was given to her by the prisoner, she was, as her sister said, "quite purely." On the morning of Monday the 11th of January, the prisoner called to see her; as soon as he had left the house, one of her sisters saw standing on the mantelpiece of the room in which the deceased was sitting a cup full of a similar medicine to that which he had before administered to her, and which had made her so sick and ill. When, three or four hours afterwards, this sister went again into the room, she found the deceased very unwell, and the cup standing empty on the table. The deceased got much worse towards night, and from that time till her death she was constantly sick, and suffered excruciating pain, with almost intolerable thirst. Early on Wednesday morning, January the 13th, having taken some opium pills, she fell into a quiet doze, and soon afterwards death put an end to her sufferings, and she woke no more. No suspicion was then entertained of her having died any other than a natural death, and in due time she was buried. When she had been ten days in the earth, however, various rumours got abroad respecting the cause of her death; and the county coroner directed the body to be exhumed, and a jury to be summoned. Two surgeons examined the disinterred body, and found it in a generally healthy state, the organs being sound and free from disease, but the stomach and bowels were much inflamed; and the jury returned a verdict that she had died from the incautious and improper administering by the prisoner of "a certain noxious, inflammatory, and dangerous thing to the jurors unknown;" and the old man was committed to prison for manslaughter.

At the time of the inquest the nature of the "thing" to which the verdict referred in terms so vague had not been ascertained; but the contents of the stomach of the deceased were preserved, and afterwards subjected to the usual tests of the presence of arsenic. Ammoniacal sulphates of copper and of silver, and sulphuretted hydrogen gas, were applied to the contents of the stomach, and the green and yellow precipitates, indicating the presence of arsenic, followed. In addition to this, the one infallible test, the reproduction of the arsenic itself, left no doubt that the deceased had taken that dreadful poison shortly before her death. It appeared by the evidence of a chemist's shopman, that three or four months before, the prisoner bought of him an ounce of arsenic, but as he was in the habit of using that drug in the manufacture of his cattle ointments, the purchase excited no suspicion at the time. In order to show that it was the prisoner by whom or by whose direction the poison was administered, it was proved that on the morning of the death of the deceased he called at the house in which she had breathed her last, and a conversation ensued between the relatives of the unfortunate woman and himself, in which he almost in terms admitted that the fact

Digitized by Google

was so. After some introductory matters, a sister of the deceased told him "it was his 'stuff' that had killed her;" to which he replied, "that could not be, for he had only given her half a grain, whereas he had given his own son, and others, a grain and more, without any harm." The sister rejoined, "Then it was too strong for her stomach;" to which the prisoner answered, "Like enough, poor thing! for her stomach was almost gone." This, and his observation on the day of her funeral, that "he would not for 20*l.* have given her anything if he had known it, for he'd rather have done her good than harm," constituted the evidence on which the prosecutor relied for proof of his having been the hand which administered or the advice which directed the arsenic. The family of the deceased spoke very favourably of his kindness and attention to her in her illness.

The Lord Chief-Justice Tindal told the jury that they must first satisfy themselves whether, in point of fact, the deceased had died from the taking of arsenic, and whether the prisoner had administered it. If they were satisfied of those two facts, they would then have to say whether the prisoner had conducted himself so rashly and with such gross negligence as made him liable to an indictment for manslaughter. The question was, whether, in reference to the nature of the remedy he applied, he acted with a due degree of care and caution, or whether he acted with rashness and gross negligence. If they were of opinion that he acted with gross negligence and want of due and proper caution, he was in point of law guilty of the crime with which he was charged upon this indictment.

The jury consulted together for some time, and then returned a verdict of "Guilty."

The Lord Chief-Justice in passing sentence observed, that the ends of justice would be answered by the responsibility to which the prisoner had subjected himself being generally known. If any person presumed to administer medically a deadly poison, being grossly ignorant of its character and effects, or with rash negligence in its use, and death ensued, he would be liable to be convicted of the offence of manslaughter. Such a person might have no evil intention, and indeed might be actuated by a desire to alleviate the sufferings of a fellow-creature, but it behoved him to proceed with caution and care. At the time of life at which the prisoner had arrived, it would be useless cruelty to inflict upon him a severe punishment; and as he had been already in jail during six weeks, the court would sentence him to a further imprisonment of fourteen days only.

The old man, who appeared to possess his mental and physical powers almost unimpaired, paid great attention to the case as it proceeded. His respectful demeanour, silvery hair, and mild countenance, secured for him considerable compassion in court, which was strongly increased by the sorrow depicted in his countenance for the deed, of which he had been so unwittingly guilty, and his known reputation for amiability of disposition.

THE END.

LONDON:
BRADBURY AND EVANS, PRINTERS, WHITEFRIARS.

Digitized by Google

Digitized by Google

Digitized by Google

Digitized by Google

Digitized by Google

Digitized by Google

Digitized by Google